

From: Shableski, Ronan <reshableski@cps.edu>
Sent: Tuesday, October 21, 2014 5:58 AM
To: Rivera, Arnaldo; arthur.blakely@chicagopolice.org; candice.burns@chicagopolice.org; GSST@chicagopolice.org; john.bertetto@chicagopolice.org; joseph.martis@chicagopolice.org; joseph.verble@chicagopolice.org; lester.scott@chicagopolice.org; lisa.russell@chicagopolice.org; melanie.malczewski@chicagopolice.org; Raymond.WilkeIii@chicagopolice.org; terry.almanza; william.d.murphy@chicagopolice.org; william.hardy@chicagopolice.org; Antonio Ruiz; Barbara Byrd Bennett; Brandon Easley; Brian Bond; cpic@chicagopolice.org; David Vitale; david.flores2@cookcountyil.gov; Erendira Rosillo; Gabriela Lagos; Gregory Sain; hector.morales@chicagopolice.org; Hudson, Julia M.; Jadine Chou; James Carter; kenneth.boudreau@chicagopolice.org; Powell, Lewis; Michael Turner; michael.keane@cookcountyil.gov; patricia.oconnor@chicagopolice.org; Phillip Hampton; reshableski@cps.edu; Richard Herrera; Robert Thomas; Rountree, Janey; Shawn McGavock; Student Safety; susan.schmit@chicagopolice.org; Timothy Cawley; Wendell Cooper; Willie Johnson
Cc: egiles@yccs.org; gersom@yccs.org; larryvaughnyccs@aol.com; Renaldo Kyles; sibvet1
Subject: 1 CPS Student Shot and Killed on October 20, 2014
Follow Up Flag: Follow up
Flag Status: Completed

MCDONALD, Laquan M/17yrs old (SI#42873861) an active 10th grade student at YCCS-Sullivan House Alternative HS, located at 8164 S South Chicago Ave, was shot and killed on October 20, 2014.

--
Ronan Shableski
Team Lead
Student Safety Center
125 S. Clark St
773-553-3002
773-553-3025 (Fax)

From: Chou, Jadine <jpchou@cps.edu>
Sent: Tuesday, October 21, 2014 7:47 AM
To: Rountree, Janey;Rivera, Arnaldo;Bennett, Kenneth
Subject: Fwd: CONFIDENTIAL: Teen with knife killed by police, two others wounded in shootings

Follow Up Flag: Follow up
Flag Status: Completed

The information below is confidential and not to be released pending CPD release (due to the sensitivity of the incident). Our team will assess how to best reach out to YCCS after discussing with CPD this morning.

The victim listed below was shot and killed by police during an incident that happened last evening.

Laquan McDonald is 17yrs old an active 10th grade student at YCCS-Sullivan House Alternative HS.

Tribune article below.

[Teen with knife killed by police, two others wounded in shootings](#)

Police fatally shot a 17-year-old boy on the Southwest Side Monday night after the teen refused to put down a knife, authorities said.

About 9:45 p.m., police received a call of someone trying to break into cars near West 40th Street and South Karlov Avenue in Archer Heights, said Pat Camden, a spokesman for the Fraternal Order of Police.

A squad car arrived on the scene, and officers spotted the teen standing next to a car with a knife in his hand. Camden said the teen began walking towards Pulaski Road and ignored the officers' requests to drop the knife.

"He's got a 100-yard stare. He's staring blankly," Camden said of the teen. "[He] walked up to a car and stabbed the tire of the car and kept walking."

Officers remained in their car and followed the boy as he turned south on Pulaski Road. More officers arrived, and police tried to box the teen in with two squad cars. The 17-year-

old stabbed one of the squad car's front passenger-side tire and damaged the front windshield, police and Camden said.

Officers got out of their car and began approaching the boy, again telling him to drop the knife, Camden said. The boy then allegedly lunged at police, causing one of the officers to open fire.

The 17-year-old boy was shot in his chest and was taken to Mount Sinai Hospital where he was pronounced dead. Camden said a knife was recovered from the scene.

As of 3 a.m., the Cook County Medical Examiner's Office had been notified of the death. Chicago police confirmed the shooting, and said no officers were injured, according to a police department statement.

Camden said none of the officers who responded had a Taser to use on the teen and were trying to detain the teen long enough for one to arrive. He said officers were forced to defend themselves.

"When police tell you to drop a weapon, all you have to do is drop it," Camden said "You'll be taken into custody, but I guarantee you won't get shot."

As with all Chicago police-involved shootings, the Independent Police Review Authority is investigating.

In other shootings, at least three people were injured since Monday afternoon, police said.

About 4:10 a.m., a 25-year-old man walked into Northwestern Memorial Hospital with a gunshot wound to his leg, police said.

The man told police he was shot in the 0-100 block of East Cermak Road. He drove himself to Northwestern Memorial Hospital where he was treated for wound, police said.

About 7:25 p.m., a 20-year-old man was shot in the 6700 block of South Hermitage Avenue in West Englewood.

The man was outside when he heard gunfire, ran and then felt pain, said Police News Affairs Officer Thomas Sweeney. The man was taken to St. Bernard Hospital where he was listed in good condition, Sweeney said.

Hours earlier, a 20-year-old man was shot in his leg in Old Town, police said.

The man was shot in his foot about 4 p.m. in the 1600 block of North Vine Street, police said. He was taken to Northwestern Memorial Hospital where he was listed in good condition. Police did not immediately provide details surrounding the shooting.

--

Jadine Chou

Chief Safety and Security Officer

Chicago Public Schools

phone: 773-553-3030 fax: 773-553-3050 email: jpchou@cps.edu

Please note my new email address is jpchou@cps.edu

From: Kaup Jr
Sent: Wednesday, October 29, 2014 11:41 PM
To: Clark; Susan E.; Curry; Cynthia; Klichowski; Gregory G.; Klimas; Robert J.; Melean; Frederick R.; O Neill; Donald J.; Pakula; Richard E.; Rivera; Juan J.; Roussell; James M.; Sobo; Robert; Welch Iii; Eddie L.; Wysinger; Alfonza
Cc: Gulliford; Wayne M.; Johnson; Eddie T.; Mc Naughton; David R.; O Donnell; James C.
Subject: P.O. Relieved of police powers

Log# 1070726

Van DYKE, Jason [REDACTED]
Patrolman
008th District
DOA 25 Jun 2001

In summary: The above officer was relieved of his police powers at the direction of Superintendent Garry F. McCarthy pending the conclusion of the investigation under LOG# 1070726. The officer appeared at BIA offices and was relieved of his police powers at 2200hrs on 29 Oct 2014. He surrendered his star, hat shield, and Department ID. He was ordered to return to BIA at 1000hrs on 30 October for his temporary ID and re-assignment.

Lieutenant Edwin Kaup
Commanding Officer - General Investigations Bureau of Internal Affairs

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From: Sanders
Sent: Thursday, October 30, 2014 11:14 AM
To: Wysinger; Alfonza; Roussell; James M.; Williams; Eugene E.; Gulliford; Wayne M.; Johnson; Eddie T.; Mc Naughton; David R.; O Donnell; James C.; Dowd; Donna M.
Cc: Shear; Marvin J.; O Neill; Donald J.; Sprinkle; Rose E.; Lewis; Genessa; Fortin; Cari L.; Harmon; Mark A.; Iglinski; Francis J.; Sedevic; Mark T.; Carter; Saadia R.; Adamovitz; Ranetta P.; Pakula; Richard E.
Subject: Detail of Personnel - Restricted Duty Status

The noted R/D member is detailed to Unit 376 effective 31 October 2014 at 0001 hours. (The member is currently assigned to 1st Watch in D.O.G. #64 and has been instructed to immediately contact the UOD).

Jason VAN DYKE
Police Officer
Star # [REDACTED]
Employee #4844
UOA: 008
UOD: 376

*Message in Unit In-Box. Member has been notified.
**Member is Restricted-Duty status.

Sergeant Tracey Sanders
Administrative Section
Human Resources Division
Chicago Police Department
3510 S. Michigan Avenue
Chicago, Illinois 60653
(312) 745-5300 / Pax 0340 / 8-4287

From: Reynolds, Shauntelle
Sent: Friday, November 14, 2014 2:57 PM
To: sean.quarterman@chicagopolice.org
Cc: Olortegui, Darwin;Antonucci_White, Jill;Platt, Thomas
Subject: In-Car Video for Police shooting on Oct. 20, 2014

Hi Sean here's the request for a copy of **all in-car videos for Beats 815R & 845R on 10-20-14 RD#HX745653 in regards to the police shooting death of Laquan McDonald**. Please call when they are ready so I can send a messenger to pick them up. Thanks so very much, have a great day ☺

Shauntelle Reynolds

Paralegal II
City of Chicago, Law Department
Federal Civil Rights Litigation
30 N. LaSalle St. Suite 900
Chicago, IL 60602
312-744-5127
sreynolds@cityofchicago.org

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From: Klimas
Sent: Monday, November 17, 2014 3:02 PM
To: Roussell; James M.
Subject: FW: FOIA Request

Only this person below. He as denied. No news organizations have FOIA'd it.

Thanks-

Robert J. Klimas
Commander
Bureau of Internal Affairs
Chicago Police Department
Office: (312) 745-6125
Cell: (312) 890-3719
Fax: (312) 745-6929
robert.klimas@chicagopolice.org

From: Linas, Melinda M.
Sent: Monday, November 17, 2014 2:59 PM
To: Klimas, Robert J.
Cc: Rivera, Juan J.; Welch Iii, Eddie L.; Bazarek, William; Price, Ralph M.
Subject: RE: FOIA Request

Yes. Stuart Nicol who is Court Appointed Special Advocate of Cook County requested the incident report from the shooting but we denied it and did not give him anything citing the Juvenile Records Act.
Do you want a copy of our response?

That is the only request I see for this incident.

Sgt. Melinda Linas
FOIA Section
Unit 114 – OLA
312-745-6095
HQ Ext. 8-4282

Please note that Illinois has a broad public records law, and that all correspondence sent to me via E-mail may be subject to disclosure.

From: Klimas, Robert J.
Sent: Monday, November 17, 2014 2:32 PM
To: Linas, Melinda M.
Cc: Rivera, Juan J.; Welch Iii, Eddie L.; Bazarek, William; Price, Ralph M.
Subject: FOIA Request

Sgt.-

Has anyone made a FOIA request regarding a police shooting on 20 Oct 2014 involving PO Van Dyke?

Thanks-

Robert J. Klimas

Commander
Bureau of Internal Affairs
Chicago Police Department
Office: (312) 745-6125
Cell: (312) 890-3719
Fax: (312) 745-6929
robert.klimas@chicagopolice.org

From: Ando, Scott <Scott.Ando@iprachicago.org>
Sent: Monday, December 08, 2014 5:16 PM
To: Rountree, Janey
Subject: Link to press release by Futterman and Kalven

Follow Up Flag: Follow up
Flag Status: Completed

<http://the.invisible.institute/news/2014/laquan-mcdonald>

Scott M. Ando
Chief Administrator
Independent Police Review Authority
1615 W. Chicago Ave., 4th Floor
Chicago, IL 60622
Tel. (Direct): 312-746-3551
Cell: 312-545-4379
e-mail: scott.ando@iprachicago.org

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From: Franklin, Liza
Sent: Monday, December 08, 2014 6:13 PM
To: Holden, John
Cc: Patton, Stephen;Darling, Leslie;Platt, Thomas;Notz, Jane;Breymaier, Shannon;Maloney, Martin
Subject: Re: Video of Chicago police shooting

Follow Up Flag: Follow up
Flag Status: Flagged

This is not a lawsuit as of now.

Sent from my iPad

On Dec 8, 2014, at 6:03 PM, Holden, John <John.Holden@cityofchicago.org> wrote:

Hello All –

This reporter also just called me to make certain that I received the email. I told her that I was not certain this was a Law matter and made no confirmation that we would be able to get back with an answer by tomorrow morning. Please advise.

John

From: Claire Bushey [<mailto:CBushey@crain.com>]
Sent: Monday, December 08, 2014 5:54 PM
To: Holden, John
Subject: FW: Video of Chicago police shooting

Hello Mr. Holden,

My name is Claire Bushey, and I write about law and other professional services for Crain's. I'm doing a story for the web about the call by law professor Craig Futterman and journalist Jamie Kalven to release any video related to the shooting death of Laquan McDonald by a Chicago police officer, although the investigation into the incident is still ongoing. Their statement is below. I'd like to ask Mr. Patton whether the city will release the video. I can be reached at (312) 649-5240. Unfortunately, I'm not going to be in the office until 10:30 a.m. tomorrow, but I'll be available after that.

Thanks for your help,
Claire

Claire Bushey
Professional services reporter
Crain's Chicago Business
(312) 649-5240 work
(312) 978-0475 mobile
[@claire_bushey](https://twitter.com/claire_bushey)

----- Forwarded Message -----

From: Jamie Kalven <news@invisibleinstitute.com>

To: Claire <clairebushey@yahoo.com>

Sent: Monday, December 8, 2014 12:05 PM

Subject: Video of Chicago police shooting

Email not displaying correctly? [View it in your browser.](#)



Laquan McDonald

Seven weeks ago, a familiar story was reported in Chicago media: a young black man was killed by the police. His name was Laquan McDonald. He was 17 years old.

Here is what the press reported based on what they were told by police sources:

On the night of October 20, a squad car responded to a call that someone was trying to break into cars in an industrial area on the southwest side. The officers found a boy with a knife in the street. He ignored their orders to drop the knife. A police spokesman described the boy in terms that suggest he was emotionally disturbed. ("He's got a 100-yard stare. He's staring blankly.") The responding officers didn't have a Taser. Waiting for one to arrive, they followed the boy in their squad car, as he walked a block to 41st and Pulaski.

A second squad car arrived. The boy again refused to drop the knife. The police tried to use the two vehicles to box him in against a construction fence on Pulaski. He punctured a tire and damaged the front windshield of one of the police cars. Officers got out of their vehicles. The boy approached them with the knife in his hand. One of the officers shot him in the chest. He was pronounced dead at Mount Sinai Hospital.

Several times a month, stories such as this one appear in Chicago media. The basic elements are generally the same. A black man is shot by a Chicago police officer. Police sources at the scene say the shooting was justified. The Independent Police Review Authority says it is investigating the incident. Then silence. After a year or two, IPRA issues a report confirming that the shooting was indeed justified.

This is in sharp contrast to how the CPD handles other incidents of violence. When someone is killed by a civilian, the department goes to great lengths to keep the public informed. Surely, the public interest is at least as strong, if not stronger, when citizens are shot by the police.

Over the last decade, black Chicagoans were ten times more likely to be shot by the police than whites. Decades have passed—and hundreds of African-Americans have been shot by Chicago police—since charges were last brought against an officer for a shooting while on duty. The public interest in information about these patterns could hardly be more

compelling.

Last March, in *Kalven v. Chicago*, the Illinois Appellate Court held that documents bearing on allegations of police abuse are public information. Following the decision, the Emanuel administration adopted a new transparency policy that opened the police department to the people in historic ways. The *Kalven* decision is limited to closed police misconduct cases; it doesn't cover ongoing investigations. Yet the public interest in the City's investigation into a police shooting is far more intense at the time of the shooting than one or two years later when the case is closed and public attention has turned elsewhere.

Consider the fate of Laquan McDonald. We have looked into the incident at 41st and Pulaski. What we have learned raises troubling questions about the all-too-familiar story of a justified shooting that police sources told the media.

So far as we have been able to determine Laquan was a ward of the state with no one to speak for him. The site where he was killed is a mostly vacant area closed off by a metal construction fence. Laquan posed no immediate threat to anyone. And there was nowhere for him to run.

According to a witness whose car was stopped on Pulaski by the unfolding drama, several officers got out of their squad cars. With no apparent provocation--the boy was shying away rather than lunging toward them--a white male officer shot Laquan, who fell to the ground. After a pause, as the boy writhed on the ground, the officer fired repeatedly into his body.

The Cook County Medical Examiners Office ruled the death a homicide, after the autopsy established that Laquan had died of multiple gunshot wounds. Just how many bullet holes does the word "multiple" cover?

There is almost certainly video footage of the incident. CPD policy requires officers to activate their in-car cameras when in pursuit. And it's clear from both the police narrative and witness accounts that the squad cars on the scene had clear perspectives on the sequence of events. (It's also possible that surveillance cameras at the Burger King on the northwest corner of 41st and Pulaski and the Dunkin Donuts on the southeast corner captured relevant footage.)

Ultimately, the issue of transparency in this case turns on the question being posed by public demonstrations across the nation: how much do we, as a society dedicated to equality under law, value black lives.

Demonstrators are not yet raising their voices on behalf of Laquan McDonald. Perhaps they should.

We call on the City to release all video footage of the incident.

Craig Futterman

University of Chicago Law School

Jamie Kalven
Invisible Institute

December 8, 2014

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The Invisible Institute
6100 S. Blackstone
Chicago, IL 60637

[<~WRD000.jpg>](#)

[<image001.jpg>](#)

From: Patton, Stephen
Sent: Monday, December 08, 2014 6:27 PM
To: Schrader, Lisa
Subject: FW: Video of Chicago police shooting; ATTORNEY CLIENT PRIVILEGED AND CONFIDENTIAL

Just left you a voicemail on this topic and then saw the attached email/request.

From: Holden, John
Sent: Monday, December 08, 2014 6:03 PM
To: Patton, Stephen; Darling, Leslie; Franklin, Liza; Platt, Thomas; Notz, Jane
Cc: Breymaier, Shannon; Maloney, Martin
Subject: FW: Video of Chicago police shooting

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Claire

Claire Bushey
Professional services reporter
Crain's Chicago Business
(312) 649-5240 work
(312) 978-0475 mobile
@claire_bushey

----- Forwarded Message -----

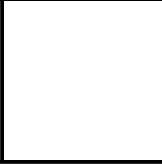
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To: Claire <clairebushey@yahoo.com>

Sent: Monday, December 8, 2014 12:05 PM

Subject: Video of Chicago police shooting

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Ultimately, the issue of transparency in this case turns on the question being posed by public demonstrations across the nation: how much do we, as a society dedicated to equality under law, value black lives.

Demonstrators are not yet raising their voices on behalf of Laquan McDonald. Perhaps they should.

We call on the City to release all video footage of the incident.

Craig Futterman
University of Chicago Law School

Jamie Kalven
Invisible Institute

December 8, 2014

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The Invisible Institute
6100 S. Blackstone
Chicago, IL 60637



From: Collins, Adam
Sent: Tuesday, December 09, 2014 10:43 AM
To: Maloney, Martin
Subject: RE: Video of Chicago police shooting

Follow Up Flag: Follow up
Flag Status: Flagged

That would be the appropriate place, since they're investigating.

From: Maloney, Martin [<mailto:Martin.Maloney@chicagopolice.org>]
Sent: Tuesday, December 09, 2014 9:53 AM
To: Collins, Adam
Subject: Fwd: Video of Chicago police shooting

Just defer it IPRA?

Sent from my iPhone

Begin forwarded message:

From: "Babwin, Don" <dbabwin@ap.org>
Date: December 9, 2014 at 9:51:42 AM CST
To: "Maloney, Martin" <Martin.Maloney@chicagopolice.org>
Subject: FW: Video of Chicago police shooting

Marty, are you guys going to weigh in on this?
Just let me know.

Video of Chicago police shooting

University of Chicago Law Professor Craig Futterman and writer Jamie Kalven issued a statement today calling on the City of Chicago to release video footage of the police shooting of Laquan McDonald, a 17-year-old black youth, on October 20.

On the basis of their investigation of the incident, Futterman and Kalven say that there is strong evidence that the shooting was not justified.

Laquan McDonald was shot and killed by a police officer at 41st and Pulaski. Spokesperson for the Fraternal Order of Police, Pat Camden, said the boy was carrying a knife and threatened the officers.

A witness disagrees, saying Laquan was shying away from the officers when he was first shot. Then, according to the witness, as Laquan lay writhing on the ground, the officer fired repeatedly into his body.

Chicago Police Department policy requires officers to activate their in-car cameras when in pursuit. There is almost certainly video footage of the incident.

"Sources report that a police officer repeatedly fired into the boy's body as he lay on the ground," said Futterman. "If they are correct, this isn't a case of self defense. It's an execution. The video should reveal the truth."

Against the background of a series of recent deaths of black men at the hands of the police in Ferguson, New York, and Cleveland, Futterman and Kalven call on the City to release all video footage of the incident. They write:

Ultimately, the issue of transparency in this case turns on the question being posed by public demonstrations across the nation: how much do we, as a society dedicated to equality under law, value the lives of black lives?

Craig Futterman is Clinical Professor of Law at the University of Chicago Law School, where he directs the Civil Rights and Police Accountability Project at the Mandel Legal Aid Clinic.

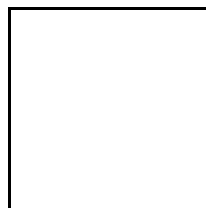
Jamie Kalven, a writer and human rights activist, is director of the Invisible Institute, a journalistic production company. He was the plaintiff in *Kalven v. Chicago*, a decision of the Illinois Appeals Court earlier this year that opened police misconduct files to the public.

[Read their full statement here: http://the.invisible.institute/news/2014/laquan-mcdonald](http://the.invisible.institute/news/2014/laquan-mcdonald)

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[IP_US_DISC]

msk dccc60c6d2c3a6438f0cf467d9a4938

From: Patton, Stephen
Sent: Tuesday, December 09, 2014 11:37 AM
To: Schrader, Lisa; Spielfogel, David; Rountree, Janey; Quinn, Kelley; Collins, Adam
Subject: Police Issues; ATTORNEY CLIENT PRIVILEGED AND CONFIDENTIAL

Follow Up Flag: Follow up
Flag Status: Completed

This concerns one of the two shootings some of us discussed yesterday and last evening – the fatal shooting of Ronald Johnson on October 12, 2014 in the 5300 block of South King Drive. I was given wrong information previously. In fact, we have been sued with respect to this shooting. The complaint names Officer George Hernandez and the City as defendants. An initial status conference has been scheduled for January 26, 2015.

We have not been sued with respect to the second police-involved shooting we discussed – the fatal shooting of LaQuan McDonald on October 20, 2014 in the 4100 block of South Karlov. I have again asked our lawyers to be on the lookout for a complaint in that matter and to notify us immediately if and when a complaint is filed.

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From: Rountree, Janey
Sent: Wednesday, December 10, 2014 11:48 AM
To: Iweagwu, Tony
Subject: FW: Pending IPRA Investigations at USAO & SAO

Follow Up Flag: Follow up
Flag Status: Completed

From: Rountree, Janey
Sent: Tuesday, December 09, 2014 1:09 PM
To: Iweagwu, Tony
Subject: FW: Pending IPRA Investigations at USAO & SAO

From: Ando, Scott [<mailto:Scott.Ando@iprachicago.org>]
Sent: Friday, December 05, 2014 12:40 PM
To: Rountree, Janey
Cc: Mitchell Steven; Hirsch, Steven; Werth, Meera
Subject: FW: Pending IPRA Investigations at USAO & SAO

Janey,

Here is the list of cases pending review by either the SAO or [the](#) USAO, as well as the ones in which the PO was charged, as indicated.

Scott M. Ando

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From: Hirsch, Steven
Sent: Friday, December 05, 2014 12:29 PM
To: Ando, Scott
Subject: Pending IPRA Investigations at USAO & SAO

PENDING USAO/FBI (Total 3)

Log# 1060762	U#13-09	PO's Lawryn & Martinez
Log# 1045950	U#11-29	PO Sierra (CHARGED)

PENDING COOK COUNTY STATE'S ATTORNEY'S OFFICE REVIEWNon-Shootings (Total 3)

Log# 1059882 Cmdr. Evans (CHARGED)
 Log# 1069058 PO Yanez, Consentino, Floyd & Chereso
 Log# 1069136 PO Posey & Dodoo

Police Involved Shootings (Total 20)

<u>Log#</u>	<u>U#</u>	<u>(Officer Involved Shootings)</u>
1052718	U#12-09	PO Servin (CHARGED)
1050919	U#11-58	PO Hernandez & Cabral & Belmontes
1060844	U#13-10	PO Smith
1064738	U#13-33	PO Walker
1068046	U#14-07	PO Sabella
1068271	U#14-10	PO Sanchez
1069086	U#14-13	PO Pachnik
1069651	U#14-15	PO Wrobel, Alonso, Kerr, Simmons & Bentley
1069981	U#14-18	Sgt. Walker
1070142	U#14-20	PO Cosban
1070168	U#14-23	PO Wagner, Mendoza & Garza, Jr.
1070445	U#14-25	PO Drozdel & Davis
1070600	U#14-26	PO Kelly
1071166	U#14-29	PO Slechter
1071168	U#14-30	PO Hunt
1071524	U#14-31	PO Pasko, Wesselhoff & Mateo
1071970	U#14-34	PO Hernandez
1072125	U#14-36	PO VanDyke
1072297	U#14-38	PO Bard & Davidson
1072342	U#14-39	PO Cutrone

Steven Hirsch

Chief of Staff

Independent Police Review Authority

1615 W. Chicago Avenue, 4th Floor

Chicago, IL 60622

(312) 746-3609

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From: Collins, Adam
Sent: Wednesday, December 10, 2014 11:57 AM
To: Maloney, Martin
Subject: RE: Media Inquiry - Mary Mitchell

Follow Up Flag: Follow up
Flag Status: Flagged

It's still under investigation so IPRA would be right

----- Original message -----

From: "Maloney, Martin" <Martin.Maloney@chicagopolice.org>
Date: 12/10/2014 11:40 AM (GMT-06:00)
To: "Collins, Adam" <Adam.Collins@cityofchicago.org>
Subject: Media Inquiry - Mary Mitchell

Should I defer her to IPRA as well, or provide some sort of statement?

From: Mitchell, Mary [<mailto:mmitchell@suntimes.com>]
Sent: Wednesday, December 10, 2014 11:31 AM
To: Maloney, Martin
Subject: Re: Deadline request

Good morning:

I'm looking for a CPD response to the "Invisible Institute" and Professor Craig Futterman's call that the city release all video footage of the police-involved shooting of Laquan McDonald. The 17-year-old was killed on October 20 on the Southwest Side. FOP Spokesman Pat Camden claimed at the time that Laquan had a knife. I'm on deadline today. I would appreciate it if you could get back to me with a statement.

Mary Mitchell

On Mon, Dec 1, 2014 at 4:18 PM, Maloney, Martin <Martin.Maloney@chicagopolice.org> wrote:
The Chicago Police Department will always protect residents' right to free speech and peaceful assembly. As you saw, last week's protests were peaceful, and CPD went to great lengths to ensure protesters first amendment rights, even shutting down major streets for the demonstrations.
Of the 15-20 protests in Chicago following the Ferguson decision, which involved hundreds if not thousands of participants, there were only three arrests.
Over the past three years our Department has led a return to community policing to build relationships between our officers and residents because community policing, as well as fostering stronger relationships with the communities we all serve, is the foundation of our policing philosophy.

On background: Newburger, without warning or provocation, pushed an officer on bicycle and then proceeded to sit in street, refusing to comply with the officer's directions.

From: Mitchell, Mary [mailto:mmitchell@suntimes.com]
Sent: Monday, December 01, 2014 1:59 PM
To: Maloney, Martin
Subject: Re: Deadline request

Yes,for Tuesday column. Deadline is 5 p.m.

Thanks

On Mon, Dec 1, 2014 at 1:54 PM, Maloney, Martin <Martin.Maloney@chicagopolice.org> wrote:
I'll look into it. What time is your deadline? This for tomorrow?

From: Mitchell, Mary [mailto:mmitchell@suntimes.com]
Sent: Monday, December 01, 2014 1:44 PM
To: Maloney, Martin
Subject: Deadline request

Hi Martin,

I'm trying to figure out how a fairly well-known protester named Richard Grant Newburger got himself arrested an charged with "felony aggravated battery against a police officer" during last week's protest at State Street. He was released on an I-bond and will be in court on Wednesday.

Was the harsh penalty part of a strategy to deter protesters from crossing the line? (He allegedly stepped into the street carrying a banner) Are there any facts from the police report that you can share?

Accrding to Grant, a detective ased him "What the f*** were you thinking out there stirring up the savages?"

Thanks,

Mary

From: Collins, Adam
Sent: Wednesday, December 10, 2014 8:33 PM
To: Schrader, Lisa;Rountree, Janey;Quinn, Kelley;Spielfogel, David;Ewing, Clothilde;Patton, Stephen;Rendina, Michael;Matt Hynes
Subject: Re: Crains: "If Chicago police have video of teen shooting, let's see it: advocates"
Follow Up Flag: Follow up
Flag Status: Completed

Questions surround a Chicago Police fatal shooting of a teen: Mitchell

By MARY MITCHELL December 10, 2014 7:08PM

Updated: December 10, 2014 7:54PM

Few people know Laquan McDonald's name.

Yet the only thing that separates the 17-year-old from Staten Island's Eric Garner and Ferguson's Michael Brown is geography.

On Oct. 20, the black teen was fatally shot by a white Chicago police officer on the city's Southwest Side.

While hundreds in Chicago have marched in the name of Garner and Brown, McDonald's death remains a mystery.

There were no smiling photos of McDonald, who died a ward of the state, accompanying the brief media reports of his death.

There was only a photograph of the police car and yellow tape blocking off the dark street.

According to reports, Chicago Lawn District officers responded to a call about someone breaking into cars in the 4100 block of South Karlov.

Officers found the 17-year-old “with a strange gaze about him carrying a knife which he refused to drop when police ordered him to do so,” said Pat Camden, a spokesman for the police union. For a while, police followed the teen, and eventually were able to use their squad cars to box him against a fence near 41st and Pulaski.

“An officer shot him in the chest when he refused to comply with orders to drop the knife and continued to approach the officers,” Camden said.

The Cook County Medical Examiner determined McDonald had multiple gunshot wounds and ruled his death a homicide.

Witnesses have told a University of Chicago professor and an investigative journalist that rather than threatening officers, the teen was “shying away”, and that an officer continued to shoot McDonald as he lay on the ground.

“We’re being told that there is a video being kept under lock and key of the young man being shot down like a dog in the street,” said Craig Futterman, founder of the Civil Rights and Police Accountability Project of the University of Chicago’s Mandel Aid Clinic.

A Chicago Police Department spokesman declined to answer questions about the case or confirm the existence of a video.

The police-involved shooting was handed off to the Independent Police Review Authority or “IPRA” as it is known. On Wednesday, a spokesman for IPRA also would not comment on this pending investigation.

“We won’t see anything for 18 months,” said Futterman, referring to the average time it takes for IPRA to finish an investigation.

Futterman is calling on demonstrators to “raise their voices on behalf of Laquan.”

“When there is a high profile case involving a civilian, the police department is going to provide information because it is in the public interest. Isn’t it in the public interest when a 17-year-old African-American boy’s life is taken by a police officer?” he asked.

Meanwhile, whether spurred by the police crisis unfolding across the nation, or criticism, IPRA is in the midst of revising its procedures.

“New cases would be categorized. The officer-involved shooting would receive the highest priority followed by excessive force cases where there are significant injuries,” said IPRA spokesman Larry Merritt.

Futterman and Jamie Kalven, an investigative reporter who routinely looks into allegations of police abuse, are calling on the Chicago Police Department to immediately release any video footage it may have of the shooting.

“The depth of distrust between community and the police cannot be greater than what it is. The only way to deal with that mistrust is by openness and not secrecy,” Futterman said.

Kalven, who was a plaintiff in a landmark lawsuit that resulted in police misconduct files being opened to the public, agrees.

“The healthy way of responding and the way it restores confidence and trust is to be open and transparent... I think there are serious, serious questions about what happened to Laquan McDonald,” he said.

Those questions deserve answers now rather than later.

Email: marym@suntimes.com

From: Schrader, Lisa

Sent: Tuesday, December 9, 2014 3:31 PM

To: Rountree, Janey; Quinn, Kelley; Spielfogel, David; Ewing, Clothilde; Patton, Stephen; Rendina, Michael; Collins, Adam; Matt Hynes

Subject: Crains: "If Chicago police have video of teen shooting, let's see it: advocates"

<http://www.chicagobusiness.com/article/20141209/NEWS04/141209736/if-chicago-police-have-video-of-teen-shooting-lets-see-it-advocates>

If Chicago police have video of teen shooting, let's see it: advocates

By [Claire Bushey](#) December 09, 2014

The death of a black Chicago teenager shot by police was likely captured by squad car video cameras, and if so the city should release the footage it “almost certainly” has, a law professor and a journalist say.

The victim, Laquan McDonald, 17, was killed Oct. 20 at 41st and Pulaski, according to news reports. Police followed him to the location from several blocks away, then used their squad cars to try to box him against a fence. He was shot after allegedly refusing to drop a knife; an autopsy found he died of multiple gunshot wounds.

McDonald's death may have gone down as just another entry on Chicago's crowded crime blotter—that is, until recent controversies in Ferguson, Mo. and Staten Island, N.Y. roiled public opinion about the relationship between police and the communities they serve. The nationwide conversation sparked by the deaths of Michael Brown in Ferguson and Eric Garner in New York cast McDonald's death in Chicago in a new light.

Craig Futterman, who started the Civil Rights and Police Accountability Project at the University of Chicago Law School, says the news reports and official narrative related to McDonald's shooting "didn't sound right," and so he and independent Chicago journalist Jamie Kalven aimed to start "a public conversation" on the right way to handle the release of information related to an open investigation.

Because Chicago Police Department policy requires officers to turn on their squad car cameras when pursuing a suspect, video "almost certainly" exists of the shooting, says Futterman, who, along with Kalven, is working to call attention to the McDonald case.

The two men say that an eyewitness told them that video, if it exists, would show the teen being repeatedly shot as he lay on the ground.

"It's a question of when this video comes out as opposed to whether, and when it does . . . it will blow what happened in Ferguson away," Futterman said.

The call for the footage comes as protesters have marched in Chicago and other cities, outraged at the deaths of black men at the hands of police officers. Futterman and Kalven wrote in a statement on the website of the Invisible Institute, a Chicago-based journalistic production company, that "the issue of transparency in (the McDonald) case turns on the question being posed by public demonstrations across the nation: how much do we, as a society dedicated to equality under law, value black lives."]

'THE BOTTOM LINE'

There are many opportunities to find video in police shooting cases, whether from traffic cameras or security cameras at private businesses, said James Montgomery Sr., founder of law firm James D. Montgomery & Associates in the Loop, which has a police brutality practice. Officers often try to collect such footage in the immediate aftermath of an incident. If a lawsuit is filed, plaintiffs' lawyers can demand those videos be produced in court.

"The bottom line is, you can get that footage if the city has it," Mr. Montgomery said.

The Chicago Police Department and city law department referred questions to the Independent Police Review Authority, a city agency that investigates incidents of reported police misconduct separately from the police department. In general, the agency doesn't release information on open investigations for fear it could hinder such probes, which take 18 months "bare minimum," spokesman Larry Merritt said.

Futterman founded the University of Chicago's Civil Rights and Police Accountability Project. He was part of the [legal team](#) that represented Kalven in a successful Freedom of Information Act case, in which the Illinois Appellate Court ruled in March that city records related to police misconduct are public information.

Since then they have worked with Stephen Patton, who has headed the city's law department since leaving Kirkland & Ellis in 2011, to develop policy about what information to release and when regarding police shootings and police misconduct. The two sides disagree on how to handle information related to open investigations.

"There's still a number of open questions that were not resolved in regard to transparency, and this was one of them," Futterman said.

###

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From: Collins, Adam
Sent: Tuesday, December 23, 2014 3:03 PM
To: Maloney, Martin
Subject: RE: Updated FOIAs-Week of 12/22

Follow Up Flag: Follow up
Flag Status: Flagged

You might reach out to Marion. She's really easy to work with and if she's going down a weird path you might be able to talk her through it.

From: Maloney, Martin [<mailto:Martin.Maloney@chicagopolice.org>]
Sent: Tuesday, December 23, 2014 11:15 AM
To: Collins, Adam
Subject: FW: Updated FOIAs-Week of 12/22

Let me know when you want to talk.

From: Rottner, Jennifer E.
Sent: Tuesday, December 23, 2014 11:14 AM
To: Maloney, Martin
Subject: Updated FOIAs-Week of 12/22

14-5776 (William Lee-Chicago Tribune) *sent out on December 22, 2014

Requester asked for additional documents filed under the report's list of attachments. These documents include: 1) The initiation report, which includes all initiation documents. (Item #4) 2) Statement by Officer Toni Shytell (#54) and the re-interview of Officer Shytell (Item #60) 3) Statement of police by Officer Kendra Pepper (Item #123) 4) Interview with Capt. Kenneth Johnson (Item #57) 5) Arrest inventory sheet (Item #46).

CPD provided a letter denying this request in full. This is due to the court order issued on October 29th, 2014 that precludes the release of the requested documents by the Department.

14-5803 (Steve Miller-WBBM) *sent out on December 22nd, 2014

Requester asked for the name of the person who tackled New Orleans Saints fan (Richard Krohnke) at Solider Field after Krohnke pushed Bears Chairman George McCaskey.

CPD provided the original case incident report associated with the individual referenced in the FOIA request (Richard Krohnke). Original case incident report includes a summary of the incident (which is that Krohnke pushed the victim from behind while being escorted from the victim's seats at Soldier Field)

14-5867 (Samira Kanacevic-WBBM) *this is being sent to OLA for approval

Requester asked for any 911 calls from a robbery/fatal shooting that happened on 12/21/14 at about 5:40 pm in the 7200 block of South Hermitage, as well as any surveillance video and documents related to this incident.

CPD provided the original case incident report which includes a summary of the incident (which is that R/O arrived at the scene to find Victim 1 bleeding from the head/face and laying on the ground. He was transported to Holy Cross Hospital where he was pronounced dead. Victim 2 explained that two offenders tried to sell them weed. When they refused, the offenders announced a robbery and ordered both victims to lay on the ground. Victim 2 was hit in the head several times

with a revolver and had his wallet and money stolen. Victim 1 started to walk away after being ordered to the ground and that is when he was shot. The offenders then fled on foot.)

Because the criminal investigation remains open and ongoing, additional records were withheld. Also, there were no responsive records as far as surveillance video or 911 calls for this incident.

14-5841b (Brian Slodysko-Sun Times) *this is being sent to OLA for approval

Requester asked for a police report, along with any supplemental reports for the arrest of Timothy Masterson on 1/29/12.

CPD provided partially redacted copies of the requested reports.

Arrest report details that the offender was placed in custody on signed complaints that he displayed a 9MM glock and told the complainant "Drive or I'll blow your head off", putting the complainant in reasonable apprehension of receiving a battery. Offender was taken to the 020th District for processing.

Original case report incidents includes summary of the incident (complainant informed police that the passenger of his cab looked like he had just gotten in a fight and was concerned he would harm him. The officer observed the offender leaning forward in the back of the cab with an object that looked like the muzzle of a gun. The officer ordered the offender to drop the weapon-which he did in the front seat of the cab. Complainant then ran out of the cab. Offender was taken into custody).

14-5635 (Pam Jones-CBS) and 14-5636 (Steve Miller-WBBM) *this is being sent to OLA for approval

*NOTE: Both requesters asked for the same thing and will be getting the same response back from CPD

Requesters asked for any and all police related video related to the shooting death of 17-year old Laquan McDonald.

CPD provided a letter stating their requests had been denied because IPRA investigation is still ongoing.

14-5541 (Marion Brooks-NBC) *this is being sent to OLA for approval

Requester asked for documents sufficient to show all community alerts from all Districts related to child luring, attempted kidnapping and missing children and teens (up to 18) since the records have been kept.

CPD provided 343 pages of documents compiled by Bureau of Detectives (after requester narrowed her request).

Jennifer Rottner
Assistant Director
Office of News Affairs
312-745-6110

From: Schrader, Lisa
Sent: Tuesday, January 20, 2015 8:18 PM
To: Patton, Stephen;Rountree, Janey
Subject: Re: ATTORNEY CLIENT PRIVILEGED AND CONFIDENTIAL

Thanks.

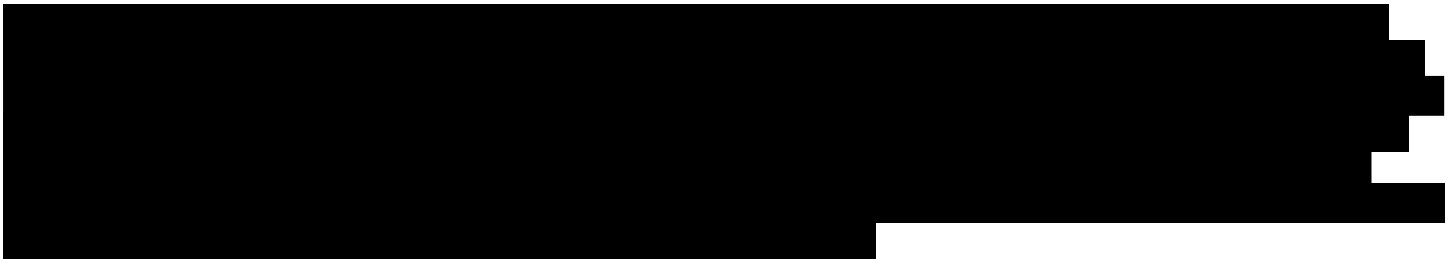
Sent from my BlackBerry 10 smartphone.

From: Patton, Stephen
Sent: Tuesday, January 20, 2015 7:28 PM
To: Schrader, Lisa; Rountree, Janey
Subject: ATTORNEY CLIENT PRIVILEGED AND CONFIDENTIAL

FYI.

From: Platt, Thomas
Sent: Tuesday, January 20, 2015 4:30 PM
To: Patton, Stephen; Dunn, James; Notz, Jane
Cc: Franklin, Liza
Subject: Fatal Shooting on video, 4000 S. Pulaski

Dear Steve,



Thomas J. Platt
Deputy Corporation Counsel
Federal Civil Rights Division
30 N. LaSalle Street, Suite 900
Chicago, Illinois 60602
312-744-4833

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From: Breymaier, Shannon
Sent: Tuesday, February 10, 2015 8:25 PM
To: Collins, Adam; Schrader, Lisa; Ewing, Clothilde; Rountree, Janey; Patton, Stephen; Quinn, Kelley; Darling, Leslie
Subject: Re: Sixteen Shots: Chicago police have told their version of how 17-year-old black teen Laquan McDonald died. The autopsy tells a different story.

Follow Up Flag: Follow up
Flag Status: Flagged

+Leslie

From: Collins, Adam
Sent: Tuesday, February 10, 2015 8:23:14 PM
To: Schrader, Lisa; Ewing, Clothilde; Rountree, Janey; Patton, Stephen; Quinn, Kelley; Breymaier, Shannon
Subject: Sixteen Shots: Chicago police have told their version of how 17-year-old black teen Laquan McDonald died. The autopsy tells a different story.

FYI

http://www.slate.com/articles/news_and_politics/politics/2015/02/laquan_mcdonald_shooting_a_recently_obtained_autopsy_report_on_the_dead.html

Sixteen Shots

Chicago police have told their version of how 17-year-old black teen Laquan McDonald died. The autopsy tells a different story.

By *Jamie Kalven*

An autopsy tells a story. The genre is mystery: a narrative set in motion by a corpse. The pathologist-narrator investigates the cause of death in precise, descriptive prose that ultimately allows the dead to testify about what happened to them. In the case of Laquan McDonald, a 17-year-old black youth killed by Chicago police on Oct. 20, 2014, the autopsy raises questions not only about how he died, but about how the Chicago Police Department has handled the case since. While it does not provide all the details of what transpired that night, the autopsy makes one thing clear: The account of the incident given by the police cannot be true.

Here is what police at the scene told reporters: At around 9:45 p.m., a squad car responded to a call that someone was trying to break into cars in an industrial area on the southwest side of Chicago. The officers found a boy, Laquan McDonald, standing in the street with a knife. They observed him stabbing the tires of a vehicle. When they ordered him to drop the knife, he ignored them and walked away, down the street.

Pat Camden, a longtime Chicago Police Department press spokesman who now performs that function for the police union, later described McDonald as having had "a strange gaze about him ... he's got a 100-yard stare ... he's staring blankly."

The responding officers didn't have a Taser. Waiting for one to arrive, they followed McDonald in their vehicle. A second squad car arrived. McDonald again refused to drop the knife. The police tried to use the two vehicles to box him in against a construction fence on Pulaski Road. He punctured a tire and damaged the front windshield of one of the police cars. Officers got out of their vehicles. McDonald lunged at them with the knife. One of the officers shot him in the chest. At 10:42 p.m., he was pronounced dead at a nearby hospital.

"The officers are responding to somebody with a knife in a crazed condition, who stabs out tires on a vehicle and tires on a squad car," **Camden said at the scene.** "You obviously aren't going to sit down and have a cup of coffee with them. He is a very serious threat to the officers, and he leaves them no choice at that point but to defend themselves."

The Chicago press dutifully reported the police account of the incident. The reporter for the local NBC station called it "**a clear-cut case of self-defense.**" It was also reported that the Independent Police Review Authority (IPRA), the city agency charged with investigating police shootings, would conduct an investigation, as it does in the case of every "police-involved shooting."

In its broad outlines, this is a familiar Chicago story: A black American is shot by a Chicago police officer. A police source says the shooting was justified. IPRA announces it is investigating. Then silence. After a year or two, IPRA issues a report confirming that the shooting was indeed justified.

The statistics are stunning. According to **IPRA reports**, Chicago police officers shoot, on average, several residents a month. Roughly 75 percent of those shot are black. Civil rights lawyers and investigative journalists I've talked to who have covered the Chicago police for decades cannot remember the last time criminal charges were brought against a Chicago police officer for a shooting while on duty.

Sometimes before the story of a police shooting evaporates into silence, we briefly hear the voice of a family member or friend trying to find words to describe who the victim was or questioning the shooting. Not so in the case of Laquan McDonald. A ward of the state, he appears not to have left much of a trace in the world. At any rate, there was no one to speak for him during the brief moment of media attention occasioned by his death.

The press coverage did, however, contain a couple of particulars that didn't meld with the police narrative. A witness, Alma Benitez, **was quoted as saying** that the shooting was unnecessary, because a number of officers were present and they had control of the situation.

"It was super exaggerated," she said. "You didn't need that many cops to begin with. They didn't need to shoot him. They didn't. They basically had him face-to-face. There was no purpose why they had to shoot him."

The other detail at odds with the police narrative—mentioned in passing in a couple of news reports without comment—was that the Cook County Medical Examiner had ruled that McDonald died of "multiple gunshot wounds," not the chest wound that the CPD had described.

The question the press didn't ask—how many gunshot wounds are covered by the word "multiple"?—has now been definitively answered by the recently finalized autopsy report, which I have obtained via a Freedom of Information Act request: Laquan McDonald was shot 16 times.

(Continued from **Page 1**)

Before mapping each of the 16 gunshot wounds in minute detail, the report describes Laquan McDonald. Six feet tall and 180 pounds, he had been wearing blue jeans and a black hooded sweatshirt. He had dreadlocks, the longest of which was five inches. He was, before his encounter with the police, in good health. A tattoo on his upper right arm read "Quan." Another on the back of his right hand read "Good Son." And on the back of his left hand were a pair of dice and "YOLO"—the acronym for "you only live once."

The description of each of the gunshot wounds is exhaustive, noting where the bullet entered the body, the damage it did to tissue and bone, where it exited the body, and its direction. The numbering of the wounds in the report is arbitrary; it is "without regard to sequence or severity." Here is a summary:

- 1. Gunshot wound of the left scalp.** (Directionality cannot be determined.)
- 2. Gunshot wound of the neck.** (The direction is left to right, slightly front to back and slightly downward.)
- 3. Gunshot wound of the left chest.** (The direction is front to back, right to left and downward.)
- 4. Gunshot wound of the right chest.** (The direction is front to back, left to right and slightly downward.)
- 5. Gunshot wound of the left elbow.** (The direction is left to right, back to front and slightly upward.)
- 6. Gunshot wound of the right upper arm.** (The direction is back to front, downward and slightly left to right.)
- 7. Gunshot wound of the left forearm.** (The direction is back to front, slightly right to left and slightly downward.)
- 8. Gunshot wound of the lateral right upper leg.** (The direction is right to left, downward and slightly front to back.)
- 9. Gunshot wound of the left upper back.** (The direction is right to left and downward with no significant forward or backward deviation.)
- 10. Gunshot wound of the left elbow.** (The direction is left to right and downward with no significant forward or backward deviation.)
- 11. Gunshot wound of the posterior right upper arm.** (The direction is right to left, downward and slightly front to back.)
- 12. Gunshot wound of the right arm.** (The direction is back to front and upward with no significant lateral deviation.)
- 13. Gunshot wound of the right forearm.** (The direction is upward and slightly back to front with no significant lateral deviation.)
- 14. Gunshot wound of the right hand.** (The direction is slightly left to right and slightly upward with no significant forward or backward deviation.)
- 15. Gunshot wound of the right lower back.** (The direction is back to front, right to left and upward.)

16. Gunshot wound of the right upper leg. (The direction is left to right and front to back with no significant vertical deviation.)

How could an incident that began with the responding officers assessing the situation and deciding they needed a Taser end a few minutes later with 16 bullets ripping through Laquan McDonald's body from different directions? Did more than one officer fire? That might explain the bullets entering from different directions. Or did a single officer empty a full magazine? Perhaps McDonald was rolling around on the ground, in which case bullets fired from a single position might have entered his body from different directions.

Whatever happened, it's very difficult to square the police narrative with the facts established by the silent testimony of Laquan McDonald's corpse.

And there is more: I recently spoke with a witness, who asked that I not use his name for fear of police reprisals and who has also reported his story to IPRA. He said he came upon the unfolding drama at the moment when McDonald was boxed in by police cars and the construction fence. From this point forward, his version of events diverges sharply from that of the police.

From this witness's perspective, McDonald didn't pose an immediate threat to anyone, and he had nowhere to run. Several officers got out of their squad cars, he says. McDonald was shying away from the police rather than moving toward them, according to this witness, when a white male officer shot him. He fell to the ground. There was a pause. Then the officer fired again and again and again. The witness counted, he thought, six more shots, but he was uncertain whether other officers were also firing. Almost immediately, a number of police cars arrived on the scene, blocking the witness's view. The police didn't interview him or take his name.

Although the witness is adamant that McDonald was moving away from the police and not lunging toward them, let's assume the officer's assessment of risk was correct. There is a rule of thumb in law enforcement known as the "21-foot rule"—the distance an attacker with a knife can cover before his intended target, armed with a holstered sidearm, can reasonably be expected to get off an accurate shot. Perhaps that justified the first—or even the first few—shots, but what possible justification could there be for the barrage of bullets that followed?

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From: Maloney, Martin <Martin.Maloney@chicagopolice.org>
Sent: Tuesday, February 10, 2015 9:45 AM
To: Collins, Adam
Subject: FW: Seeking comment on a police-involved shooting

Follow Up Flag: Follow up
Flag Status: Flagged

I assume defer to IPRA but wanted to check with you and make sure you're aware of it.

On Mon, Feb 9, 2015 at 10:31 PM, Jamie Kalven <kalven@invisibleinstitute.com> wrote:
Dear Martin Maloney,

I am a journalist about to file an article on a police-involved shooting and want to seek comment from the Department.

The incident occurred on October 20, 2014. According to the police account at the scene, a young man named Laquan McDonald lunged at a police officer with a knife. The officer shot him in the chest. Later that night, McDonald died at Mount Sinai Hospital.

Through a FOIA request, I recently obtained the autopsy report on McDonald. It indicates he was shot sixteen times, front and back. My article focuses on questions raised by the inconsistencies between the autopsy report and the police account of what happened on October 20.

Can you shed any light on this? Does the Department have a comment?

Many thanks,

Jamie Kalven

From: Price
Sent: Wednesday, February 11, 2015 4:28 AM
To: Maloney; Martin; Roussell; James M.; Bazarek; William
Subject: Laquan McDonald shooting: A recently obtained autopsy report on the dead teen complicates the Chicago Police Department's story.

[http://www.slate.com/articles/news and politics/politics/2015/02/laquan mcdonald shooting a recently obtained a utopsy report on the dead.html](http://www.slate.com/articles/news_and_politics/politics/2015/02/laquan_mcdonald_shooting_a_recently_obtained_autopsy_report_on_the_dead.html)

From: Price, Ralph M. <Ralph.Price@chicagopolice.org>
Sent: Wednesday, February 11, 2015 4:32 AM
To: Franklin, Liza;Peters, Lynda;Platt, Thomas
Subject: Laquan McDonald shooting: A recently obtained autopsy report on the dead teen complicates the Chicago Police Department's story.

http://www.slate.com/articles/news_and_politics/politics/2015/02/laquan_mcdonald_shooting_a_recently_obtained_a_utopsy_report_on_the_dead.3.html

From: Patton, Stephen
Sent: Wednesday, February 11, 2015 5:46 AM
To: Ralph Price
Subject: Re: Laquan McDonald shooting: A recently obtained autopsy report on the dead teen complicates the Chicago Police Department's story.

Thanks.

From: Price, Ralph M. <Ralph.Price@chicagopolice.org>

Sent: Wednesday, February 11, 2015 4:27:53 AM

To: Patton, Stephen

Subject: Laquan McDonald shooting: A recently obtained autopsy report on the dead teen complicates the Chicago Police Department's story.

http://www.slate.com/articles/news_and_politics/politics/2015/02/laquan_mcdonald_shooting_a_recently_obtained_a_utopsy_report_on_the_dead.html

From: Ando, Scott <Scott.Ando@iprachicago.org>
Sent: Wednesday, February 11, 2015 9:53 AM
To: Rountree, Janey;Collins, Adam
Subject: FW: McDonald Shooting

Follow Up Flag: Follow up
Flag Status: Completed

Just a heads up in case you have not seen this.

Scott M. Ando

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From: Hirsch, Steven
Sent: Wednesday, February 11, 2015 9:20 AM
To: Ando, Scott; Mitchell Steven; Merritt, Larry
Subject: McDonald Shooting

Article released yesterday by Jamie Kalven. Took opportunity to give IPRA a quick shot, but focus is on PD. Hopefully, SAO/USAO with be moving forward soon.

http://www.slate.com/articles/news_and_politics/politics/2015/02/laquan_mcdonald_shooting_a_recently_obtained_autopsy_report_on_the_dead.html

Steven Hirsch
Chief of Staff
Independent Police Review Authority
1615 W. Chicago Avenue, 4th Floor
Chicago, IL 60622
Main Line (312) 746-3609
Direct Line (312)746-0149

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From: Maloney, Martin <Martin.Maloney@chicagopolice.org>
Sent: Monday, February 23, 2015 2:39 PM
To: Collins, Adam
Subject: RE: Mary Mitchell

Follow Up Flag: Follow up
Flag Status: Flagged

Not sure, she just said 'early deadline at that' which I'm sure you saw.
I can press her to be more specific.

From: Collins, Adam [<mailto:Adam.Collins@cityofchicago.org>]
Sent: Monday, February 23, 2015 2:38 PM
To: Maloney, Martin
Subject: RE: Mary Mitchell

Thanks. What's her deadline?

From: Maloney, Martin [<mailto:Martin.Maloney@chicagopolice.org>]
Sent: Monday, February 23, 2015 2:37 PM
To: Collins, Adam
Subject: Mary Mitchell
Importance: High

From: Mitchell, Mary [<mailto:mmitchell@suntimes.com>]
Sent: Monday, February 23, 2015 2:35 PM
To: Maloney, Martin
Subject: Re: Question

Yes--and facing early deadline at that.

Mary

On Mon, Feb 23, 2015 at 2:14 PM, Maloney, Martin <Martin.Maloney@chicagopolice.org> wrote:

What is your deadline for this? Are you writing for tomorrow?

From: Mitchell, Mary [<mailto:mmitchell@suntimes.com>]
Sent: Monday, February 23, 2015 2:13 PM

To: Maloney, Martin
Subject: Re: Question

Hi Martin,

I would like to get an official response from the Chicago Police Department regarding the autopsy report on Laquan McDonald. According to reporting by Jamie Kalven and U of C Professor Chris Futterman, the report shows Laquan was shot 16 times.

I wrote about this case a couple of months ago. At that time I raised questions about a videotape that allegedly captured the incident, and why the department is refusing to release the videotape to the public.

Mary Mitchell
[312-321-2585](tel:312-321-2585)

Thanks

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From: Maloney, Martin <Martin.Maloney@chicagopolice.org>
Sent: Monday, February 23, 2015 4:06 PM
To: Collins, Adam
Subject: FW: Question

Follow Up Flag: Follow up
Flag Status: Flagged

FYI5 p.m for Mary (supposedly).

From: Mitchell, Mary [<mailto:mmitchell@suntimes.com>]
Sent: Monday, February 23, 2015 4:05 PM
To: Maloney, Martin
Subject: Re: Question

Sorry, --- 5 p,m.

On Mon, Feb 23, 2015 at 2:45 PM, Maloney, Martin <Martin.Maloney@chicagopolice.org> wrote:

Ok, what time?

From: Mitchell, Mary [<mailto:mmitchell@suntimes.com>]
Sent: Monday, February 23, 2015 2:35 PM
To: Maloney, Martin
Subject: Re: Question

Yes--and facing early deadline at that.

Mary

On Mon, Feb 23, 2015 at 2:14 PM, Maloney, Martin <Martin.Maloney@chicagopolice.org> wrote:

Ok, Mary. What is your deadline for this? Are you writing for tomorrow?

From: Mitchell, Mary [mailto:mmitchell@suntimes.com]
Sent: Monday, February 23, 2015 2:13 PM
To: Maloney, Martin
Subject: Re: Question

Hi Martin,

I would like to get an official response from the Chicago Police Department regarding the autopsy report on Laquan McDonald. According to reporting by Jamie Kalven and U of C Professor Chris Futterman, the report shows Laquan was shot 16 times.

I wrote about this case a couple of months ago. At that time I raised questions about a videotape that allegedly captured the incident, and why the department is refusing to release the videotape to the public.

Mary Mitchell
[312-321-2585](tel:312-321-2585)

Thanks

On Thu, Dec 18, 2014 at 1:54 PM, Mitchell, Mary <mmitchell@suntimes.com> wrote:

Is there a reason why the CPD is not identifying the police officer suspended for blasting "Sweet Home Alabama." Did you make a decision not to disclose the identity to media?

Thanks

Mary Mitchell

From: Collins, Adam
Sent: Monday, February 23, 2015 4:29 PM
To: Quinn, Kelley
Cc: Update_List;Darling, Leslie;Rountree, Janey;Maloney, Martin
(Martin.Maloney@chicagopolice.org)
Subject: RE: Press inquiry: CPD shooting

Kelley and I talked. Mary's column for tomorrow is likely to follow her the same path as the one she did in December – basically that there are a lot of unanswered questions in this case and Kalven saying those questions are concerning, and that the investigation should be conducted with full transparency. It will likely ask why 16 shots were fired.

Below is Mary's December column. Any issues with the CPD statement? Mary's deadline is 5 pm.

"All police involved shootings are investigated by the Independent Police Review Authority and it would inappropriate for us to comment while their investigation is ongoing."

Questions surround a Chicago Police fatal shooting of a teen

Posted: 12/16/2014, 12:46pm

By MARY MITCHELL \ Sun-Times columnist

Few people know Laquan McDonald's name.

Yet the only thing that separates the 17-year-old from Staten Island's Eric Garner and Ferguson's Michael Brown is geography.

On Oct. 20, the black teen was fatally shot by a white Chicago police officer on the city's Southwest Side.

While hundreds in Chicago have marched in the name of Garner and Brown, McDonald's death remains a mystery.

There were no smiling photos of McDonald, who died a ward of the state, accompanying the brief media reports of his death.

There was only a photograph of the police car and yellow tape blocking off the dark street.

According to reports, Chicago Lawn District officers responded to a call about someone breaking into cars in the 4100 block of South Karlov.

Officers found the 17-year-old “with a strange gaze about him carrying a knife which he refused to drop when police ordered him to do so,” said Pat Camden, a spokesman for the police union. For a while, police followed the teen, and eventually were able to use their squad cars to box him against a fence near 41st and Pulaski.

“An officer shot him in the chest when he refused to comply with orders to drop the knife and continued to approach the officers,” Camden said.

The Cook County Medical Examiner determined McDonald had multiple gunshot wounds and ruled his death a homicide.

Witnesses have told a University of Chicago professor and an investigative journalist that rather than threatening officers, the teen was “shying away”, and that an officer continued to shoot McDonald as he lay on the ground.

“We’re being told that there is a video being kept under lock and key of the young man being shot down like a dog in the street,” said Craig Futterman, founder of the Civil Rights and Police Accountability Project of the University of Chicago’s Mandel Aid Clinic.

A Chicago Police Department spokesman declined to answer questions about the case or confirm the existence of a video.

The police-involved shooting was handed off to the Independent Police Review Authority or “IPRA” as it is known. On Wednesday, a spokesman for IPRA also would not comment on this pending investigation.

“We won’t see anything for 18 months,” said Futterman, referring to the average time it takes for IPRA to finish an investigation.

Futterman is calling on demonstrators to “raise their voices on behalf of Laquan.”

“When there is a high profile case involving a civilian, the police department is going to provide information because it is in the public interest. Isn’t it in the public interest when a 17-year-old African-American boy’s life is taken by a police officer?” he asked.

Meanwhile, whether spurred by the police crisis unfolding across the nation, or criticism, IPRA is in the midst of revising its procedures.

“New cases would be categorized. The officer-involved shooting would receive the highest priority followed by excessive force cases where there are significant injuries,” said IPRA spokesman Larry Merritt.

Futterman and Jamie Kalven, an investigative reporter who routinely looks into allegations of police abuse, are calling on the Chicago Police Department to immediately release any video footage it may have of the shooting.

“The depth of distrust between community and the police cannot be greater than what it is. The only way to deal with that mistrust is by openness and not secrecy,” Futterman said.

Kalven, who was a plaintiff in a landmark lawsuit that resulted in police misconduct files being opened to the public, agrees.

“The healthy way of responding and the way it restores confidence and trust is to be open and transparent... I think there are serious, serious questions about what happened to Laquan McDonald,” he said.

Those questions deserve answers now rather than later.

From: Quinn, Kelley
Sent: Monday, February 23, 2015 4:06 PM
To: Collins, Adam
Cc: Update_List; Darling, Leslie; Rountree, Janey; Maloney, Martin (Martin.Maloney@chicagopolice.org)
Subject: Re: Press inquiry: CPD shooting

Tarrah,
Can you call Mary and find out where she's going with this?

On Feb 23, 2015, at 3:47 PM, Collins, Adam <Adam.Collins@cityofchicago.org> wrote:

Mary Mitchell is doing a column for tomorrow about the Laquan McDonald officer involved shooting. Mary is specifically asking for comment about the findings of the autopsy report which show that McDonald was shot 16 times in the front, side and back. She has written about this issue before, and is, again, following up on comments from attorney Jamie Kalven. For reference, here is the post he did a couple weeks ago.
http://www.slate.com/articles/news_and_politics/politics/2015/02/laquan_mcdonald_shooting_a_recently_obtained_autopsy_report_on_the_dead.html

She has not reached out to IPRA.

Below is CPD's response. I have spoken with Leslie and Janey already.

Mary is on deadline. Any issues?

All police involved shootings are investigated by the Independent Police Review Authority and it would be inappropriate for us to comment while their investigation is ongoing.

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From: Collins, Adam
Sent: Monday, February 23, 2015 6:46 PM
To: Schrader, Lisa;Update_List
Cc: Darling, Leslie;Rountree, Janey;Maloney, Martin (Martin.Maloney@chicagopolice.org)
Subject: RE: Press inquiry: CPD shooting

Follow Up Flag: Follow up
Flag Status: Completed

Heres the story

Report: Chicago Police shoot teen 16 times
Posted: 02/23/2015, 06:14pm | Mary Mitchell

Chicago police officers shot Laquan McDonald 16 times, according to an autopsy report recently obtained by an organization pressuring the police department to clear up questions about the youth's death.

Jamie Kalven, of the "Invisible Institute," a Chicago-based journalistic production company, and Craig Futterman, a University of Chicago professor, have challenged the police version of how the 17-year-old McDonald ended up dead.

While national attention was focused on the Michael Brown police-involved shooting case in Ferguson, Mo., and the Eric Garner police chokehold death in New York, few people seemed to care about what happened to McDonald.

McDonald allegedly had a knife and was slashing car tires when police encountered him on the night of Oct. 20, 2014.

Pat Camden, a spokesman for the Fraternal Order of Police, who routinely turns up at the scene to speak to reporters after police shootings, described McDonald as "having a strange gaze about him." He told reporters police officers used a squad car to try and box McDonald in against a fence near 41st and Pulaski

"An officer shot him in the chest when he refused to comply with orders to drop the knife and continued to approach the officers," Camden told a Chicago Sun-Times reporter.

But the autopsy report, which the "Invisible Institute" obtained via the Freedom of Information Act, appears to suggest McDonald wasn't just shot in the chest. His body was riddled with bullets.

According to the autopsy, McDonald had gunshot wounds to the left scalp, neck, left chest, right chest, left elbow, right upper arm, left forearm, right upper leg, left upper back, left elbow, posterior right upper arm, right arm, right forearm, right hand, right lower back, right upper leg.

"How could an incident that began with the responding officers assessing the situation and deciding they needed a Taser end a few minutes later with 16 bullets ripping through Laquan McDonald's body from different directions?" asked Kalven in a lengthy article posted on Slate.com.

"Did more than one officer fire? Or did a single officer empty a full magazine?" he asked.

As with all police-involved shootings, this incident is being reviewed by the Independent Police Review Authority.

Unfortunately, it usually takes a year to 18 months for that agency to investigate a police-involved shooting. During that long delay, reporters typically move to other topics

But Kalven and Futterman, who founded the Civil Rights and Police Accountability Project at the University of Chicago's Mandel Clinic, are not going away.

In December, the pair called on the Chicago Police Department to release video footage that was recorded by a dashboard camera that was supposed to be on as officers pursued McDonald.

Kalven also was a plaintiff in a landmark lawsuit that resulted in police misconduct files being opened to the public.

The decision of whether or not to release the video ultimately rests with Mayor Rahm Emanuel, Kalven noted, pointing out the mayor's re-election bid.

It would be irresponsible to make assumptions about how police handled this incident.

But it is ridiculous that it takes so long to sort out a police-involved shooting, particularly when a 17-year-old is shot 16 times.

On Monday, a spokesman for the Chicago Police Department said it would be "inappropriate" for the police to comment on this "ongoing" investigation.

But last November, as police officers in Ferguson struggled to keep street demonstrations peaceful, Chicago Police Supt. Garry McCarthy said he had instructed his supervisors to keep the public in the loop following high-profile incidents.

"In the absence of information, there is a vacuum that can get filled with rumor, innuendo and outright lies," he said.

How the police department handles this latest revelation about McDonald's death will test those words.

----- Original message -----

From: "Collins, Adam" <Adam.Collins@cityofchicago.org>

Date: 02/23/2015 5:00 PM (GMT-06:00)

To: "Schrader, Lisa" <Lisa.Schrader@cityofchicago.org>, Update_List <Update_List@cityofchicago.org>

Cc: "Darling, Leslie" <Leslie.Darling@cityofchicago.org>, "Rountree, Janey"

<Janey.Rountree@cityofchicago.org>, "Maloney, Martin (Martin.Maloney@chicagopolice.org)"

<Martin.Maloney@chicagopolice.org>

Subject: RE: Press inquiry: CPD shooting

[Thanks. CPD will move this now](#)

From: Schrader, Lisa

Sent: Monday, February 23, 2015 4:58 PM

To: Collins, Adam; Update_List

Cc: Darling, Leslie; Rountree, Janey; Maloney, Martin (Martin.Maloney@chicagopolice.org)

Subject: RE: Press inquiry: CPD shooting

I'm good here.

From: Collins, Adam

Sent: Monday, February 23, 2015 3:48 PM

To: Update_List

Cc: Darling, Leslie; Rountree, Janey; Maloney, Martin (Martin.Maloney@chicagopolice.org)

Subject: Press inquiry: CPD shooting

Mary Mitchell is doing a column for tomorrow about the Laquan McDonald officer involved shooting. Mary is specifically asking for comment about the findings of the autopsy report which show that McDonald was shot 16 times in the front, side and back. She has written about this issue before, and is, again, following up on comments from attorney Jamie Kalven. For reference, here is the post he did a couple weeks ago.

http://www.slate.com/articles/news_and_politics/politics/2015/02/laquan_mcdonald_shooting_a_recently_obtained_a_utopsy_report_on_the_dead.html

She has not reached out to IPRA.

Below is CPD's response. I have spoken with Leslie and Janey already.

Mary is on deadline. Any issues?

All police involved shootings are investigated by the Independent Police Review Authority and it would inappropriate for us to comment while their investigation is ongoing.

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From: Maloney, Martin [martin.maloney@chicagopolice.org]

Sent: Monday, February 23, 2015 7:20 PM

BCC: adam.collins@cityofchicago.org; david.harris@chicagopolice.org;
garry.mccarthy@chicagopolice.org; james.rousell@chicagopolice.org;
robert.tracy@chicagopolice.org; alfonza.wysinger@chicagopolice.org;
nwsaffr@chicagopolice.org; alexander.stinites@chicagopolice.org;
kelley.quinn@cityofchicago.org; shannon.breymaier@cityofchicago.org;
robert.kane@chicagopolice.org; jennifer.rottner@chicagopolice.org;

Subject: Tomorrow's News

MSNBC: Rachel Maddow is doing a segment tonight on allegations of improper interrogations/false arrest made against retired CPD detective Richard Zuley, who also served as a Guantanamo Bay interrogator. Her piece will be based off two stories published by The Guardian, which are one-sided and based on information almost solely from the plaintiff's attorney. CPD pushed back, telling them all the inaccuracies of the story. For a on the record statement, we said among other things, that the Chicago Police Department has zero tolerance for misconduct, and has instituted a series of internal initiatives and reforms to ensure past incidents of police misconduct are not repeated.

ST: Mary Mitchell is writing about the Laquan McDonald officer involved shooting. CPD told her all police involved shootings are investigated by the Independent Police Review Authority and it would inappropriate for us to comment while their investigation is ongoing.

From: Breymaier, Shannon
Sent: Monday, February 23, 2015 7:54 PM
To: Breymaier, Shannon
Subject: Tomorrow's News

Follow Up Flag: Follow up
Flag Status: Completed

TUESDAY

Everyone: Election coverage

All TVs: Stories about DOB taking 19 more landlords to emergency heat court following inspections from this weekend. Cmsr. Davis did interviews with NBC5, WGN9 and FOX32.

NBC5/Rogers: Story about how Block 37 superstation project—which began in 2006 and was halted in 2008—has been a waste of taxpayer dollars. CTA noted that project was conceived of and constructed under a previous mayor and CTA administration, which halted construction nearly seven years ago. Since 2011, the current CTA administration has put no additional funding toward the Block 37 station, and maintenance/upkeep costs for the unheated, unlighted space have been extremely minimal.

WBBM/Tafoya: Story on CPS parameters in place for determining weather related cancellations, and if CPS consults with City Hall in making those decisions.

MSNBC/Maddow: Segment on allegations of improper interrogations/false arrest made against retired CPD detective Richard Zuley, who also served as a Guantanamo Bay interrogator. Her piece will be based off two stories published by The Guardian, which are one-sided and based on information almost solely from the plaintiff's attorney. CPD pushed back, telling them all the inaccuracies of the story. CPD said we have zero tolerance for misconduct, and have instituted a series of internal initiatives and reforms to ensure past incidents of police misconduct are not repeated.

CT/Hilkevitch: Coverage of DNAInfo reporter Meryl Williams's sexual harassment and alleged attempted abduction by a cab driver in December. BACP has been working with the victim. The case was just in AH and the driver was found liable of 5.08(a) is discourteous conduct and 5.08(b) is abusive behavior and he was imposed with a \$840 fine plus a 10 day suspension. Story will affirm BACP's handling of the efforts and the outcome.

ST/Mitchell: Story about the Laquan McDonald officer involved shooting. CPD said all police involved shootings are investigated by IPRA and it would inappropriate for us to comment while their investigation is ongoing.

RedEye/Swartz: Story about upcoming construction on Loop BRT project. Story is essentially a recap of what has been public already. CDOT provided her information and let he know more details on the project would be available in the coming weeks.

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To: Breymaier, Shannon
Subject: Tomorrow's News

Follow Up Flag: Follow up
Flag Status: Completed

TUESDAY

Everyone: Election coverage

All TVs: Stories about DOB taking 19 more landlords to emergency heat court following inspections from this weekend. Cmsr. Davis did interviews with NBC5, WGN9 and FOX32.

NBC5/Rogers: Story about how Block 37 superstation project—which began in 2006 and was halted in 2008—has been a waste of taxpayer dollars. CTA noted that project was conceived of and constructed under a previous mayor and CTA administration, which halted construction nearly seven years ago. Since 2011, the current CTA administration has put no additional funding toward the Block 37 station, and maintenance/upkeep costs for the unheated, unlighted space have been extremely minimal.

WBBM/Tafoya: Story on CPS parameters in place for determining weather related cancellations, and if CPS consults with City Hall in making those decisions.

MSNBC/Maddow: Segment on allegations of improper interrogations/false arrest made against retired CPD detective Richard Zuley, who also served as a Guantanamo Bay interrogator. Her piece will be based off two stories published by The Guardian, which are one-sided and based on information almost solely from the plaintiff's attorney. CPD pushed back, telling them all the inaccuracies of the story. CPD said we have zero tolerance for misconduct, and have instituted a series of internal initiatives and reforms to ensure past incidents of police misconduct are not repeated.

CT/Hilkevitch: Coverage of DNAInfo reporter Meryl Williams's sexual harassment and alleged attempted abduction by a cab driver in December. BACP has been working with the victim. The case was just in AH and the driver was found liable of 5.08(a) is discourteous conduct and 5.08(b) is abusive behavior and he was imposed with a \$840 fine plus a 10 day suspension. Story will affirm BACP's handling of the efforts and the outcome.

ST/Mitchell: Story about the Laquan McDonald officer involved shooting. CPD said all police involved shootings are investigated by IPRA and it would inappropriate for us to comment while their investigation is ongoing.

RedEye/Swartz: Story about upcoming construction on Loop BRT project. Story is essentially a recap of what has been public already. CDOT provided her information and let he know more details on the project would be available in the coming weeks.

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this e-mail in error, please respond to the individual sending the message, and permanently delete the original and any copy of any e-mail and printout thereof.

From: Holden, John
Sent: Tuesday, February 24, 2015 9:43 AM
To: Darling, Leslie
Subject: slate link

http://www.slate.com/articles/news_and_politics/politics/2015/02/laquan_mcdonald_shooting_a_recently_obtained_a_utopsy_report_on_the_dead.html

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From: Collins, Adam
Sent: Thursday, February 26, 2015 5:11 PM
To: Darling, Leslie;Rountree, Janey;Breymaier, Shannon
Subject: FW: CPD FOIA 15-0342
Attachments: 15-0342 dii, diii.doc

Follow Up Flag: Follow up
Flag Status: Completed

FYI

From: Rottner, Jennifer E. [<mailto:Jennifer.Rottner@chicagopolice.org>]
Sent: Thursday, February 26, 2015 11:48 AM
To: Collins, Adam; Rasmus, Chloe
Subject: FW: CPD FOIA 15-0342

Just easier to forward Jack's email for this one.

From: Kenter, Jack C.
Sent: Thursday, February 26, 2015 11:47 AM
To: Peters, Lynda
Cc: Maloney, Martin; Rottner, Jennifer E.; Harris, David G.
Subject: CPD FOIA 15-0342

Attached for review is a draft response to the below FOIA. Please note that this response is consistent with (and nearly identical to) the 2 responses which we sent to WBBM last month regarding this same incident/video. I've reached out to IPRA and they have confirmed their continued objection to the release of these materials. I'm unable to attach the records from the training academy at this time due to the file size (>70 MB). These records consist of a series of lesson plans, PowerPoint presentations, and informational guides which are provided to recruits & in-service officers during various training sessions. Nothing sensitive and nothing exempt is in that file. If you wish to see/review these materials let me know and we'll try to find an alternate method to get them to you.

P.O. Jack Kenter
Freedom of Information Officer
Office of Legal Affairs
(312) 745-5308
8-4263 (Intercom)

From: Cole, Todd (NBCUniversal) [Todd.Cole@nbcuni.com]
Sent: Wednesday, January 21, 2015 2:52 PM
To: FOIA
Subject: FOIA request

January 21, 2015

Chicago Police Department
Attn: Freedom of Information Officer
Records Inquiry Section, Unit 163
3510 S. Michigan Ave.

Chicago, IL 60653

Via e-mail: foia@chicagopolice.org

Dear FIOA Officer

1. Please provide me with the unedited onboard dashcam footage recorded by every Chicago Police Department (CPD) vehicle on the scene of the shooting of 17-year-old Laquan McDonald on the night of October 20, 2014. I would like this footage in whatever format is easiest for you, i.e. Dropbox, DVD.
2. In addition to all onboard dashcam footage, I am also requesting the Tactical Response Report and all other police incident and supplemental reports and call logs related to the aforementioned incident, as well as all draft and final materials produced in the course of the On-Call Commander's investigation into the appropriateness of the use of force in this incident. And I am also requesting any documents regarding officer training on use of force and dealing with people with mental illness. I would like this material in an email attachment.

When either request number 1 or request number 2 is ready, please send it independent of the other.

As you know, under 5 ILCS 140/7(1)(d)(I), basic police incident reports and arrest information are to be provided under the Illinois FOIA.

Regarding any privacy issues, I request that you redact the names of non-CPD witnesses to the incident.

I am certain that the release of these materials will not interfere with the reported ongoing investigation being conducted by the Independent Police Review Authority. I am also certain that the release of these materials will not interfere with any law enforcement proceedings. Nor will the release of these basic materials deprive any person of an impartial hearing or endanger the life of any law enforcement officer.

Lastly, MSNBC is a news media organization. The principal purpose of this request is to access and disseminate information concerning news and current events, and as such its purpose is non-commercial.

I want to thank your department for accepting this request for public records filed under the Illinois Freedom of Information Act and all other applicable open record laws. And anything your department can do to expedite this request will be greatly appreciated.

If you have any questions or if I can assist in any way, please don't hesitate to contact me.

Sincerely,

Todd Cole
Producer, MSNBC
30 Rockefeller Center
415 W-3
New York, New York 10112

Todd.Cole@nbcuni.com

[213-327-7337](tel:213-327-7337)

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From: Laura Coronado <lcoronado@lawmdr.com>
Sent: Tuesday, March 03, 2015 3:53 PM
To: Platt, Thomas
Cc: Jeff Neslund; Michael Robbins
Subject: Estate of LeQuan McDonald
Attachments: PLATT 3-3-15.pdf

Dear Mr. Platt:

Attached please find correspondence from Mr. Neslund and Mr. Robbins.

Thank you,

Laura Coronado
Assistant to Jeffrey J. Neslund
Law Offices of Jeffrey J. Neslund
20 North Wacker Drive, Suite 3710
Chicago, IL 60606
(312) 223-1100
Fax: (312) 781-9123
lcoronado@lawmdr.com
www.lawmdr.com

This email may contain privileged and/or confidential information. If you are not the intended recipient, please do not read, distribute or reproduce this email. If you believe that you have received this email in error, immediately notify the Law Offices of Jeffrey J. Neslund at the phone number provided above and delete this email from your system.

LAW OFFICES OF JEFFREY J. NESLUND
20 North Wacker Drive, Suite 3710
Chicago, Illinois 60606
(312) 223-1100 / (Fax) (312) 781-9123

March 3, 2015

Thomas.platt@cityofchicago.org

Thomas Platt

Deputy Corporation Counsel

City of Chicago – Federal Civil Rights Litigation

30 N. LaSalle Street, Suite 900

Chicago, IL 60604

Re: In re: the Estate of LeQuan McDonald, deceased

Dear Counsel:

As we discussed, we have conferred with Mr. McDonald's family, and we are interested exploring the possibility of reaching a prompt resolution of the claim(s) on behalf of the Estate.

In order to properly and adequately evaluate this case, and as a precondition to entering into such negotiations, we would require the City to produce the following materials, on an expedited basis:

1. All witness statements (civilian and police) regarding the shooting of LeQuan McDonald;
2. Any and all police reports, including narrative summaries of all occurrence witness statements, as well as the detective closing supplemental report, regarding this incident;
3. Any and all videos including, but not limited to, red light cameras at 41st and Pulaski, dash cam (video and audio) as well as any video recovered from the Burger King restaurant;
4. Any and all IPRA statements taken in connection with this shooting; and
5. The complaints and all narrative summaries of any CRs alleging excessive force against Chicago Police Officer Jason Van Dyke, #9465.

Thomas Platt
March 3, 2015
Page 2

Further, we would contemplate entering into an “attorneys’ eyes” only agreement, which could contain the following provisions governing the tender of the required information:

(i) The City would produce a full and complete set of the requested materials (or provide assurance that said materials do not exist), by a date certain;

(ii) The materials produced would be held by the undersigned subject to an “attorneys’ eyes” only restriction, and would not be duplicated or copied while in the possession of the undersigned;

(iii) All materials produced by the City would be returned upon the completion or cessation of the negotiations; and

(iv) All communications in connection with the negotiation of this matter would remain confidential, as if governed by FRCP 408;

Finally, if we are to reach a resolution of these claims without filing a lawsuit, it must be done promptly, within weeks. Due to the passage of time since the incident, the strong feelings amongst family members and the community regarding this occurrence, we must make a prompt determination if the matter can be resolved, or if it must be litigated.

Regards,

Sincerely,

/s/ Jeffrey J. Neslund
Jeffrey J. Neslund

/s/ Michael D. Robbins
Michael D. Robbins

JJN:lc

From: Antonucci_White, Jill
Sent: Wednesday, March 04, 2015 1:22 PM
To: Maderak, Jill;Dunaj, Laura
Cc: Platt, Thomas
Subject: RE: The Estate of LaQuan McDonald, 14 P 7092

Ok. Thanks!!

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From: Maderak, Jill
Sent: March 04, 2015 1:21 PM
To: Antonucci_White, Jill; Dunaj, Laura
Cc: Platt, Thomas
Subject: Re: The Estate of LaQuan McDonald, 14 P 7092

JILL, ERIN IS GOING TO CALL TOM PLATT ON THIS

Jill Maderak
Office Of Emergency Management and Communications
Investigations/Tape Review Unit
1411 W. Madison
Chicago, Il 60607

312-746-9270
312-746-9154 FAX
0743 PAX

From: Antonucci_White, Jill
Sent: Wednesday, March 4, 2015 12:42 PM
To: Maderak, Jill; Dunaj, Laura
Cc: Platt, Thomas
Subject: RE: The Estate of LaQuan McDonald, 14 P 7092

Looks like we got this subpoena from you on 1/15/15. Hope this helps to determine what audio you sent to plaintiff. Thanks.

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From: Maderak, Jill
Sent: March 04, 2015 9:51 AM
To: Antonucci_White, Jill; Dunaj, Laura
Cc: Platt, Thomas
Subject: Re: The Estate of LaQuan McDonald, 14 P 7092

HI JILL, THIS IS WHAT I COULD FIND..CC-14-0589, CC-14-0594, CC-14-0651, PD 14-1125 AND PD 14-1125...
CALL ME IF YOU HAVE ANY QUESTIONS....

Jill Maderak
Office Of Emergency Management and Communications
Investigations/Tape Review Unit
1411 W. Madison
Chicago, Il 60607

312-746-9270
312-746-9154 FAX
0743 PAX

From: Antonucci_White, Jill
Sent: Tuesday, March 3, 2015 3:55 PM
To: Dunaj, Laura; Maderak, Jill
Cc: Platt, Thomas
Subject: The Estate of LaQuan McDonald, 14 P 7092



Hi Laura & Jill,

Happy Tuesday!!!

In regards to the subpoena dated November 21, 2014 in the matter of The Estate of LaQuan McDonald, 14 P 7092, what documents/items were tendered? Please let me know. Thanks.

Jill

Jill Antonucci White

Jill Antonucci White
Supervising Paralegal
Corporation Counsel's Office
Federal Civil Rights Litigation Division
30 N. LaSalle St., Suite 900
Chicago, IL 60602
312-744-6776 (phone)
312-744-6566 (fax)

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From: Platt, Thomas
Sent: Wednesday, March 04, 2015 2:22 PM
To: Ruether, Mary
Subject: RE: McDonald - confidential attorney communication
Attachments: Probate File (2015, 01-28) Preservation_McDonald.pdf; 7777-03032015.pdf

Attached is a copy of the probate file through 1-28. The Mainframe docket shows that letters of office were issued 2/23/15. We do not have those docs, but we have ordered them. I agree with Liza that we do not have basis to move to quash the request for a run sheet of the decedent.

From: Ruether, Mary
Sent: Wednesday, March 04, 2015 12:31 PM
To: Platt, Thomas
Subject: RE: McDonald - confidential attorney communication

Tom,

Since you have the probate file, was Tina Hunter appointed the independent administrator?

Thanks.

Mary E. Ruether
Deputy Corporation Counsel, Torts Division
30 N. LaSalle, Suite 800
Chicago, Illinois 60602
(312) 744-9072

Privileged and Confidential Attorney Communication

From: Ruether, Mary
Sent: Wednesday, March 04, 2015 11:36 AM
To: Franklin, Liza; Patton, Stephen; Platt, Thomas
Subject: McDonald - confidential attorney communication

Coincidentally, Steve Catlett from Fire sent me this today because he had a question about whether the estate or the parent would have to sign an authorization pursuant to HIPAA. As you can see, the subpoena is under the probate number. According to Mainframe, the executor of the estate is Tina Hunter and the attorney is Edward Lau. I don't see Neslund's name on the docket information, but it is possible he has filed an additional appearance and the docket is not up to date.

Mimi
Mary E. Ruether
Deputy Corporation Counsel, Torts Division
30 N. LaSalle, Suite 800
Chicago, Illinois 60602
(312) 744-9072

Privileged and Confidential Attorney Communication

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City of Chicago, Department of Law – 90909
Receipt for Circuit Court of Cook County, Illinois
(Please Note: Filings will not be accepted unless Sections "A" and "B" are completed)

SECTION A:

PLEASE PRINT – THIS SECTION IS MANDATORY

Date: January 26, 2015 Case Name: The Estate of LaQuan McDonald
Case Number: 14 P 7092
Client Dept: Police

Circuit Court of Cook County Division: Chancery Civil County Domestic Relation
 Law Municipal

Entered: Appearance Document: Certified Copy *disposition, Court file w/ Jacket*
 Complaint Transcript
 Foreclosure Order *(3 pgs)*
 Admin Review

SECTION B:

PLEASE PRINT – THIS SECTION IS MANDATORY

Submitted By: Shauntelle Reynolds Phone: 312-744-5127
Law Department Attorney Name/Outside Law Firm Name – if applicable
*(Outside Law Firms **must** identify both the Law Department attorney and Law Firm)*

Law Department Division/Section (**must** check one):

- | | | |
|---|---|--|
| <input type="checkbox"/> 4014 – Special Litigation | <input type="checkbox"/> 4099 – Zoning | <input type="checkbox"/> 4042 – Admin Hearings |
| <input type="checkbox"/> 3007 – Appeals | <input type="checkbox"/> 4156 – Admin Ownership | <input type="checkbox"/> 4044 – Admin Review |
| <input type="checkbox"/> 4070 – Aviation | <input type="checkbox"/> 4160 – Collections | <input type="checkbox"/> 4046 – Branch Courts |
| <input type="checkbox"/> 4062 – Bankruptcy | <input type="checkbox"/> 4158 – Liens & Acquisitions | <input type="checkbox"/> 4043 – Traffic Court |
| <input type="checkbox"/> 4065 – Environment | <input type="checkbox"/> 4025 – Const Commercial | <input type="checkbox"/> 4083 – Real Estate |
| <input type="checkbox"/> 4074 – General | <input type="checkbox"/> 4030 – Policy | <input type="checkbox"/> 4150 – Tax |
| <input type="checkbox"/> 4076 – Telecom/Utilities | <input type="checkbox"/> 4032 – Employment | <input type="checkbox"/> 4152 – General Tax |
| <input type="checkbox"/> 4091 – Conservation | <input type="checkbox"/> 4081 – Finance | <input type="checkbox"/> 4155 – Property Tax |
| <input type="checkbox"/> 4093 – Demolition | <input checked="" type="checkbox"/> 3024 – Federal Civil Rights | <input type="checkbox"/> 4100 – Torts |
| <input type="checkbox"/> 4097 – DGHS | <input type="checkbox"/> 3027 – Labor | <input type="checkbox"/> 4110 – Workmen’s Comp |
| <input type="checkbox"/> 4098 – License Enforcement | <input type="checkbox"/> 3031 – Legal Counsel | <input type="checkbox"/> Other _____ |

SECTION C:

TO BE FILLED IN BY COURT CLERK:

Amount Charged: \$ 3 Received By: K. [Signature]

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, PROBATE DIVISION

In re the Estate of

LaQuan McDonald

No.

2014P007092
CALENDAR/ROOM 08
TIME 00:00
Dec Est/Int/Ind Adm

PROBATE DIVISION COVER SHEET

A Probate Division Cover Sheet shall be filed with the initial petition in all actions filed in the Probate Division. The information contained herein is for clerical purposes only. Please check the box in front of the appropriate category which best characterizes your action being filed.

Guardianship for Disabled Person

- 0001 Person
0002 Estate
0003 Estate and Person
0019 Elder Abuse

Guardianship for Minor

- 0011 Person
0012 Estate
0013 Estate and Person

Probate of Decedent's Estate - Intestate

- 0004 Supervised Administration
0005 Independent Administration
0014 Summary Administration
0006 Letters of Administration to Collect
0018 Miscellaneous Probate Action (Decedent)

Probate of Decedent's Estate - Will

- 0007 Supervised Executor
0008 Independent Executor
0015 Summary Executor
0009 Will Annexed - Supervised Administration
0010 Will Annexed - Independent Administration

Other

- 0016 Sell or Transfer Structured Settlement

FILED
14 NOV 20 PM 1:41
DOROTHY BROWN
CLERK OF THE CIRCUIT COURT
OF COOK COUNTY, IL

By:
Atty. No.: 11228
Name: Edward Y. Lau
Atty. for: Petitioner - Tina Hunter
Address: 30 N. LaSalle St., #3200
City/State/Zip Code: Chicago, IL 60602
Telephone: 9312) 346-1155

Service via email will be accepted at:
by consent pursuant to Ill. Sup. Court Rules 11 and 131.

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Estate of

LAQUAN McDONALD

Deceased

No. 148 7092

PETITION FOR LETTERS OF ADMINISTRATION

TINA HUNTER

, states under the penalties of perjury:

1. LaQuan McDonald, whose place of residence at the time of death was [redacted] Chicago Cook IL [redacted] (address) (city) (county) (state) (zip) died October 20, 2014, at Chicago IL (city) (state) leaving no will.

2. The approximate value of the estate in this state is:

Personal Real Annual Income From Real Estate \$ Cause of Action for Wrongful Death \$ -0- \$ -0-

3. The names and post-office addresses of decedent's heirs are set forth on Exhibit A and made a part of this petition. (Indicate the relationship and whether an heir is a minor or disabled person.)

4. The names and post-office addresses of persons who are entitled to nominate and/or administer in preference to (P) or equally with (E) petitioner are set forth on Exhibit A of this petition. If none, so state: None

5. Petitioner is a natural mother of decedent and is legally qualified to act (or to nominate a resident of Illinois to act) as administrator.

*6 The name and post-office address of the personal fiduciary designated to act during independent administration for each heir, who is a minor or disabled person, are shown on Exhibit A of this petition.

Petitioner asks that Letters of Administration issue to the following person(s), qualified and willing to act:

Name Post-Office Address TINA HUNTER 1415 S. Central Park, Unit 1A, Chicago, IL 60623

Atty. No. 11228 Atty. Name: Edward Y. Lau Firm Name: Law Office of Edward Y. Lau Address: 30 N. LaSalle St., #3200 City/State/Zip: Chicago, IL 60602 Telephone: (312) 346-1155

Tina Hunter Petitioner Address: [redacted] City/State/Zip: Chicago, IL [redacted] Telephone: [redacted] Atty. Certification [Signature]

If a consul or consular agent is to be notified, name country: n/a

*If supervised administration is requested, so state and strike Paragraph 6.

ESTATE OF LaQuan McDonald

Deceased,

EXHIBIT A

3. HEIRS:

a. Tina Hunter - mother

[REDACTED]

b. [REDACTED] - sister - minor (age 14)

[REDACTED]

6. FIDUCIARY

a. Tina Hunter - mother

[REDACTED]

PBDK TCP10618 HONORABLE DOROTHY BROWN 03/03/2015
CLERK OF THE CIRCUIT COURT OF COOK COUNTY PAGE 001 OF 005
PROBATE DIVISION COURT DOCKET INQUIRY

STATUS PENDING APPEAL
CASE NUMBER 14-P-007092 CALENDAR 08 DOCKET# 000 PAGE# 000
ESTATE OF MCDONALD LAQUAN 10/20/14

EST. REP. HUNTER TINA

MCDONALD LAQUAN I18000001
11/20/14 PET. FOR PROBATE OF DECEDENT'S EST. - INTESTATE, INDEP. ADMIN. \$422.0
11228 LAU EDWARD Y 30 N LASALLE #3200 CHICAGO IL 60602 346115

MCDONALD LAQUAN I18000001
11/20/14 EXHIBITS FILED \$00.0
11228 LAU EDWARD Y 30 N LASALLE #3200 CHICAGO IL 60602 346115

MCDONALD LAQUAN I18000002
12/16/14 MOTION FILED \$00.0
11228 LAU EDWARD Y 30 N LASALLE #3200 CHICAGO IL 60602 346115

PAGE NO: _____ ACT DATE: _____ F3=RETURN F7=BACK F8=FORWARD PAUSE=EXIT

PBDK TCP10597 HONORABLE DOROTHY BROWN 03/03/2015
CLERK OF THE CIRCUIT COURT OF COOK COUNTY PAGE 002 OF 005
PROBATE DIVISION COURT DOCKET INQUIRY

STATUS PENDING APPEAL
CASE NUMBER 14-P-007092 CALENDAR 08 DOCKET# 000 PAGE# 000
MCDONALD LAQUAN I18000002
12/16/14 MOTION SCHEDULED 10:00 01/05/15 1801
11228 LAU EDWARD Y 30 N LASALLE #3200 CHICAGO IL 60602 346115

MCDONALD LAQUAN I18000003
01/23/15 MOTION FILED \$00.0
11228 LAU EDWARD Y 30 N LASALLE #3200 CHICAGO IL 60602 346115

MCDONALD LAQUAN I18000004
01/23/15 MOTION FILED \$00.0
11228 LAU EDWARD Y 30 N LASALLE #3200 CHICAGO IL 60602 346115

MCDONALD LAQUAN I18000003
01/23/15 MOTION SCHEDULED 10:00 02/06/15 1801
11228 LAU EDWARD Y 30 N LASALLE #3200 CHICAGO IL 60602 346115

PAGE NO: _____ ACT DATE: _____ F3=RETURN F7=BACK F8=FORWARD PAUSE=EXIT

PBDK TCP10597 HONORABLE DOROTHY BROWN 03/03/2015
CLERK OF THE CIRCUIT COURT OF COOK COUNTY PAGE 003 OF 005
PROBATE DIVISION COURT DOCKET INQUIRY

STATUS PENDING APPEAL
CASE NUMBER 14-P-007092 CALENDAR 08 DOCKET# 000 PAGE# 000
MCDONALD LAQUAN I18000004
01/23/15 MOTION SCHEDULED 10:00 02/23/15 1801
11228 LAU EDWARD Y 30 N LASALLE #3200 CHICAGO IL 60602 346115

MCDONALD LAQUAN I18000006
02/06/15 AMENDED PETITION FILED \$00.0
11228 LAU EDWARD Y 30 N LASALLE #3200 CHICAGO IL 60602 346115

MCDONALD LAQUAN I18000005
02/06/15 CASE SET FOR STATUS ON (DATE) - CONTINUED 10:00 02/23/15
COLEMAN SUSAN M

MCDONALD LAQUAN I18000007
02/23/15 NOTICE OF MOTION \$00.0
11228 LAU EDWARD Y 30 N LASALLE #3200 CHICAGO IL 60602 346115

PAGE NO: _____ ACT DATE: _____ F3=RETURN F7=BACK F8=FORWARD PAUSE=EXIT

PBDK TCP10597 HONORABLE DOROTHY BROWN 03/03/2015
CLERK OF THE CIRCUIT COURT OF COOK COUNTY PAGE 004 OF 005
PROBATE DIVISION COURT DOCKET INQUIRY

STATUS PENDING APPEAL
CASE NUMBER 14-P-007092 CALENDAR 08 DOCKET# 000 PAGE# 000
MCDONALD LAQUAN I18000008
02/23/15 ORDER DECLARING HEIRSHIP - ALLOWED \$00.0
COLEMAN SUSAN M

MCDONALD LAQUAN I18000008
02/23/15 BOND OF REPRESENTATIVE APPROVED SURETY - ALLOWED \$00.0
COLEMAN SUSAN M \$15,000.0

MCDONALD LAQUAN I18000009
02/23/15 LETTERS OF OFFICE AS INDEPENDENT ADMINISTRATOR ISSUED - ALLOWED \$00.0
COLEMAN SUSAN M

MCDONALD LAQUAN I18000009
02/23/15 LETTERS OF OFFICE TO ISSUE - ALLOWED \$00.0
COLEMAN SUSAN M

PAGE NO: _____ ACT DATE: _____ F3=RETURN F7=BACK F8=FORWARD PAUSE=EXIT

PBDK TCP10597

HONORABLE DOROTHY BROWN

03/03/2015

CLERK OF THE CIRCUIT COURT OF COOK COUNTY

PAGE 005 OF 005

PROBATE DIVISION COURT DOCKET INQUIRY

STATUS PENDING

APPEAL

CASE NUMBER 14-P-007092 CALENDAR 08 DOCKET# 000 PAGE# 000

MCDONALD LAQUAN I18000009

02/23/15 ORDER TO COMPEL PRODUCTION OF DOCUMENTS - CON 10:00 04/22/16

COLEMAN SUSAN M

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From: Collins, Adam
Sent: Friday, March 06, 2015 11:15 AM
To: Darling, Leslie;Breymaier, Shannon;Rountree, Janey;Schrader, Lisa
Subject: FW: FOIA Update
Attachments: 15-1209 Gorner dol.pdf

Follow Up Flag: Follow up
Flag Status: Completed

FYI.

From: Rottner, Jennifer E. [<mailto:Jennifer.Rottner@chicagopolice.org>]
Sent: Friday, March 06, 2015 9:48 AM
To: Collins, Adam; Rasmus, Chloe
Cc: Maloney, Martin
Subject: FOIA Update

This is currently being sent to DOL for approval.

15-1209 (Jeremy Gorner-Chicago Tribune)

Requester asked for all documents pertaining to the death of Laquan McDonald, including but not limited to, original police report, detective files, witness statements, supplemental reports and any reports documenting correspondence between the CPD and Cook County State's Attorney. CPD denied this request in full, as it is an ongoing investigation being handled by IPRA (see attached pdf).

Jennifer Rottner
Assistant Director
Office of News Affairs
312-745-6110

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Rahm Emanuel
Mayor

Department of Police • City of Chicago
3510 S. Michigan Avenue • Chicago, Illinois 60653

Garry F. McCarthy
Superintendent of Police

March 5, 2015

Jeremy Gorner
Chicago Tribune
435 N. Michigan Ave.
Chicago, IL 60611
igorner@chicagotribune.com

Re: NOTICE OF RESPONSE TO FOIA REQUEST
REQUEST DATE: March 4, 2015
FOIA FILE NO.: 15-1209

Dear Mr. Gorner:

The Chicago Police Department is in receipt of your Freedom of Information Act (FOIA) request for "all records pertaining to the October 20, 2014 death of Laquan McDonald, 17, (d.o.b. 09/24/1997)...including, but not limited to, it's original police report, all the detective files in the case, witness statements in the case, supplemental reports in the case and any reports documenting correspondence in the case between the Chicago Police Department and Cook County State's Attorney's Office."

Your request was reviewed by the undersigned as well as the Independent Police Review Authority (IPRA). Upon review, it was determined that your requests are denied. IPRA's investigation into this shooting is still ongoing and several individuals still need to be interviewed. A release of any of these records or evidence related to this pending investigation would create a substantial likelihood or irreparable harm affecting the integrity of the investigation and potentially depriving the involved officers of an impartial hearing. Accordingly, your requests for police report, all the detective files in the case, witness statements in the case, supplemental reports in the case and any reports documenting correspondence in the case between the Chicago Police Department and Cook County State's Attorney's Office concerning this particular incident are denied under the following exemptions found in the Illinois Freedom of Information Act:

5 ILCS 140/7 (1)(d) Records in the possession of any public body created in the course of administrative enforcement proceedings, and any law enforcement or correctional agency for law enforcement purposes, but only to the extent that disclosure would:

- (ii) Interfere with active administrative enforcement proceedings conducted by the public body that is the recipient of the request;
- (iii) Create a substantial likelihood that a person will be deprived of a fair trial or an impartial hearing.

If I can be of further assistance, you may contact me at (312)745-5308, or by mail at the below address:

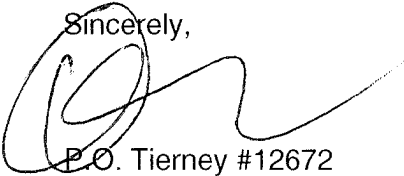
Chicago Police Department
Attention: Freedom of Information Officer

Emergency and TTY: 9-1-1 • Non Emergency and TTY: (within city limits) 3-1-1 • Non Emergency and TTY: (outside city limits) (312) 746-6000

E-mail: police@cityofchicago.org • Website: www.cityofchicago.org/police

Office of Legal Affairs Unit 114
3510 S. Michigan Ave.
Chicago, IL 60653

Sincerely,



P.O. Tierney #12672
Freedom of Information Officer
Chicago Police Department
Office of Legal Affairs

You have a right of review by the Illinois Attorney General's Public Access Counselor (PAC). You can file a request for review by writing to:

Public Access Counselor
Office of the Attorney General
500 S. 2nd Street
Springfield, Illinois 62706
Phone: 312-814-5526 or 1-877-299-FOIA (1-877-299-3642)
Fax: 217-782-1396 E-mail: publicaccess@atg.state.il.us

If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of the date of this denial letter. 5ILCS 140-9.5(a). When filing a Request for Review, you must include a copy of the original FOIA request and this denial letter. You may also seek judicial review of a denial under 5 ILCS 140/11 by filing a lawsuit in the State Circuit Court.

From: Patton, Stephen
Sent: Friday, March 06, 2015 1:41 PM
To: Coffey, Laura
Subject: FW: FOIA Update
Attachments: 15-1209 Gorner dol.pdf

Please print with attachment.

From: Schrader, Lisa
Sent: Friday, March 06, 2015 12:03 PM
To: Patton, Stephen
Subject: FW: FOIA Update

From: Collins, Adam
Sent: Friday, March 06, 2015 11:15 AM
To: Darling, Leslie; Breymaier, Shannon; Rountree, Janey; Schrader, Lisa
Subject: FW: FOIA Update

FYI.

From: Rottner, Jennifer E. [<mailto:Jennifer.Rottner@chicagopolice.org>]
Sent: Friday, March 06, 2015 9:48 AM
To: Collins, Adam; Rasmus, Chloe
Cc: Maloney, Martin
Subject: FOIA Update

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Jennifer Rottner
Assistant Director
Office of News Affairs
312-745-6110

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From: Peters, Lynda
Sent: Friday, March 06, 2015 2:36 PM
To: Darling, Leslie
Subject: RE: FOIA Update

Yes. Ready to approve. It is consistent with two other responses sent for, at least in part, the same information.

Lynda A. Peters
City Prosecutor
Legal Information, Investigations & Prosecutions Division
City of Chicago Law Department
30 N. LaSalle, Suite 1720
Chicago, IL 60602
312-744-2816

Confidential and privileged communication.

From: Darling, Leslie
Sent: Friday, March 06, 2015 11:16 AM
To: Peters, Lynda
Subject: FW: FOIA Update

Have you seen this yet?

From: Collins, Adam
Sent: Friday, March 06, 2015 11:15 AM
To: Darling, Leslie; Breymaier, Shannon; Rountree, Janey; Schrader, Lisa
Subject: FW: FOIA Update

FYI.

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Jennifer Rottner
Assistant Director
Office of News Affairs
312-745-6110

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From: Laura Coronado <lcoronado@lawmdr.com>
Sent: Friday, March 06, 2015 4:37 PM
To: Platt, Thomas
Cc: Jeff Neslund;Michael Robbins
Subject: Laquan McDonald
Attachments: Laquan Demand 3-6-15.pdf; Ex A(1).png; Ex A(2).png; Ex A(3).png; Ex A(4).png; Ex A(5).png; Ex B.pdf; Ex C(1).pdf; Ex C(2).pdf; Ex D.pdf

Dear Mr. Platt:

Attached please find correspondence from Mr. Neslund and Mr. Robbins.

Thank you,

Laura Coronado
Assistant to Jeffrey J. Neslund
Law Offices of Jeffrey J. Neslund
20 North Wacker Drive, Suite 3710
Chicago, IL 60606
(312) 223-1100
Fax: (312) 781-9123
lcoronado@lawmdr.com
www.lawmdr.com

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LAW OFFICES OF JEFFREY J. NESLUND
20 North Wacker Drive, Suite 3710
Chicago, Illinois 60606
(312) 223-1100 / (Fax) (312) 781-9123

March 6, 2015

Thomas.platt@cityofchicago.org

Thomas Platt
Deputy Corporation Counsel
City of Chicago – Federal Civil Rights Litigation
30 N. LaSalle Street, Suite 900
Chicago, IL 60604

Re: In re: the Estate of Laquan McDonald, deceased

Dear Counsel:

Pursuant to our recent conversations, we are submitting the following demand in an effort to resolve this matter expeditiously without litigation. The information contained herein is considered confidential and offered only for the purposes of settlement negotiations.

Introduction

On October 20, 2014, Laquan McDonald (17) was shot and killed in the middle of Pulaski Avenue by Chicago Police Officer Jason Van Dyke. The postmortem examination confirms that Mr. McDonald was shot a total of *sixteen (16) times*, with seven (7) entrance wounds in the front (including two in the chest and one in the neck) and nine (9) entrance wounds in the backside (including one in the upper back and one in the lower back). This horrific and shocking event was witnessed by a number of civilian witnesses as well as police officers. More importantly, the entire shooting was captured by the dash cam video of a responding unit.

Contrary to the false statements the City allowed the F.O.P. spokesman to spin to the media, the dash cam confirms that Mr. McDonald did not “lunge” toward the police. In complete contradistinction, the dash cam establishes Laquan was walking on angle 10-15 feet *away* from the officers at the time the shooting. After Laquan immediately spun to the ground, graphic puffs of smoke from ricochet shots establishes that Officer Van Dyke continued to fire his weapon for approximately 16 seconds *after* Mr. McDonald laid helplessly in the street.

Thomas Platt
March 6, 2015
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There is no plausible justification for such an excessive use of deadly force. Officers were aware Mr. McDonald possessed a knife prior to the shooting and had requested a taser. At least five units responded to the scene prior to the shooting with additional units arriving seconds later. Yet Officer Van Dyke chose to empty his 9 mm pistol into the body of the Laquan McDonald rather than allow other officers to employ non-lethal force, such as the requested taser.

I submit the graphic dash cam video will have a powerful impact on any jury and the Chicago community as a whole. This case will undoubtedly bring a microscope of national attention to the shooting itself as well as the City's pattern, practice and procedures in rubber-stamping fatal police shootings of African Americans as "justified." The police shooting in Ferguson, Mo. was front page news when Officer Van Dyke decided to take Laquan McDonald's life. I submit this particular shooting can be fairly characterized as a gratuitous execution and as well as a hate crime.

Although DCFS had guardianship over Laquan at the time of his death, the placement goal was to return custody to his mother, Tina Hunter. Laquan had a strong support network consisting of his immediate and extended family members, including his uncle, Marvin Hunter, pastor of Grace Memorial Baptist Church in the Lawndale neighborhood. In the year prior to his untimely death, Laquan, his mother and younger sister, [REDACTED] (14), all were working with professionals in the juvenile justice system to achieve this goal of family reunification. Tina and [REDACTED] Hunter continue to work with professional therapists as they mourn the senseless loss of Laquan.

Facts and Circumstances of the Fatal Shooting

On October 20, 2014, at 9:45 p.m., a call was received by a 911 operator that a man was breaking into cars at 41st and Kildare. At 9:53 p.m. Chicago police unit 815 R, Chicago Police Officers Thomas Gaffney #19958 and Joseph McElligott #18715, reported that a man was walking away from them with a knife in his hand and they requested assistance from "someone with a taser."

Video surveillance footage from the Greater Chicago Food Depository confirms that officers Gaffney and McElligott slowly followed Laquan McDonald, who turned 17 on September 25, 2014, as he walked westbound down 40th St. towards Pulaski. One of the officers followed Laquan on foot and shined a flashlight on him, as a marked Chicago Police Tahoe slowly drove alongside. At 9:55 p.m. unit 815R again called for a taser, and reported that the suspect had "popped the tire" on their squad car. They continued to follow Laquan as he reached Pulaski Avenue and turned southbound on the sidewalk. Laquan then jogged into the southbound lanes of Pulaski, while being followed by multiple Chicago police vehicles which were arriving on the scene.

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March 6, 2015
Page Three

The dash cam video from unit 813R, Chicago Police Officers Janet Mondragon #4364 and Daphne Sabestian #2763, captured what took place on Pulaski, including the fatal shooting. As Laquan jogged away from the police who were following him, he is holding a knife in his right hand and pulling up his pants. Additional Chicago police vehicles arrived on Pulaski and were positioned both in front of and behind Laquan.

Unit 845R, Chicago Police Officers Joseph Walsh #12865 and Jason Van Dyke # 9465, drove their marked Tahoe over the sidewalk in front of the Burger King restaurant located at 4060 S. Pulaski and continued southbound, passing Laquan as well as another C.P.D. Tahoe that was facing northbound in the middle of the street. Officers Walsh and Van Dyke parked their Tahoe in the middle of Pulaski, immediately exited their vehicle and drew their weapons. Unit 813R, Officers Mandragon and Sabestian, were directly behind Laquan, and additional units were approaching from the south.

When Officers Walsh and Van Dyke exited their vehicle with their guns drawn in the center lane of Pulaski, Laquan immediately changed direction, and began moving on an angle *away from the officers*, toward the west side of the street. Officer Van Dyke began shooting when Laquan was the full width of the southbound lane away from him, approximately 10-15 feet according to Van Dyke's T.R.R. The Officer's Battery Reports state that ten (10) officers were on the scene at the time of the shooting. Yet, apparently only Officer Van Dyke felt the need to use deadly force.

The dash cam from Unit 813R show the initial shots spin Laquan around and he immediately falls onto his right side - obviously no longer a potential threat or danger to anyone. (see attached group Ex. A, still shots from the dash cam). Nevertheless, Officer Van Dyke continued to discharge his weapon and, according to his T.R.R., apparently reloaded as Laquan laid helplessly in the street. Laquan can be seen moving into a fetal position, as Officer Van Dyke continues to shoot. The video clearly shows Laquan was still conscious and moving his arms and legs as he lay on the street while being shot. Puffs of smoke can be seen twice: once near his mid-section after Laquan is on the ground and a second puff of smoke near Laquan's head- a full 16 seconds after the initial shots spin Laquan to the street. (See Group Ex. A(3) and A(4)). Then Officer Van Dyke kicks the knife out of Laquan's hand and appears to yell something at the boy as he laid dying on the street. (Ex. A(5)). Mr. McDonald was removed from the scene and taken by ambulance to Mt. Sinai Hospital, where he was pronounced dead at 10:42 p.m.

Occurrence Witnesses

At least six citizens witnessed the fatal shooting of Laquan McDonald. Three of the witnesses were transported to a police station and questioned about the shooting. One witness, ██████████, reports having been appalled by what she witnessed, and actually screamed out “stop shooting” as Officer Van Dyke continued to discharge his weapon while Laquan was laid in the street. Ms. ██████████ reports that she was transported to a police station where she was held against her will and intensively questioned for over six hours. During the questioning, detectives repeatedly attempted to get her to change her statement, telling her that her story “did not match the video,” which they refused to show her. Finally, Ms. ██████████ was released at approximately 4:00 a.m., after she demanded a lawyer. Ms. ██████████ was quoted by name in multiple news articles in which she described what she had seen. Since then, she reports that she has been threatened and harassed on multiple occasions.

Ms. ██████████ has been in contact with members of the McDonald family following the shooting. She has stated “I only saw [Laquan] running ... running trying to hold his pants up; trying to run away from them. There’s a reason they kept us there til 4:00 a.m. one officer said he was going to get me – that’s why I haven’t talk to anybody; that’s why I’ve kept things to myself.”

We are advised that another witness, who came forward upon hearing the false and misleading information about the shooting from the F.O.P. representative, has given a statement to IPRA. We understand the witness to have said that Laquan did not pose an immediate threat to anyone, and had nowhere to run when the police officer started shooting. The witness saw McDonald “shying away” from the police, when he observed a white male officer shoot Laquan, who fell to the ground. Following a pause the officer then fired “again and again” as Laquan writhed on the ground.

Autopsy Results

I submit the sheer number of gunshot wounds establishes the excessive and unreasonable nature of the shooting. An autopsy was performed on October 21, 2014 by Cook County Medical Examiner Dr. Denika Means. The autopsy determined that Laquan McDonald was shot 16 times. (see Ex. B, postmortem body diagram). Specifically, the Laquan sustained gunshot entrance wounds to the following parts of his body:

1. graze wound to the left scalp
2. left base of the neck
3. upper left chest
4. right chest which penetrated the lungs (bullet recovered)
5. back of the left elbow
6. back of the right upper arm

7. back of the left wrist which fractured the left radius and ulna
8. lateral right upper leg (bullet recovered)
9. left upper back
10. left elbow which passed thru the left humerus
11. back of right upper arm
12. dorsal right forearm, back to front (bullet recovered)
13. right forearm, back to front (bullet recovered)
14. back of right hand (bullet fragments recovered)
15. right lower back which penetrated the abdominal cavity, back to front (bullet recovered from left abdominal wall)
16. right upper leg

The path of certain bullets are consistent with Laquan having been prone when he sustained those wounds. Dr. Means also found white metal projectiles recovered from between Laquan's *teeth*, right upper arm and clothing, which are consistent with multiple ricochet fragments striking him while he was on the ground. The toxicology report was also *negative* for the presence of opiates, alcohol, and cocaine.

False And Misleading Information Disseminated By The FOP

In addition to the liability of the officers involved in this shooting, I submit there must also be accountability for the City and the Department's role in allowing false information to be disseminated to the media via the F.O.P. in an attempt to win public approval and falsely characterize the fatal shooting as "justified." Here, within an hour of the shooting, the F.O.P. spokesman gave a statement to the press describing the circumstances surrounding the shooting which contained misrepresentations, misleading information and outright falsehoods.

The spokesman told the press that McDonald "lunged" at an officer with a knife, "forcing" the officer to "shoot Laquan in the chest." He is quoted as saying that Laquan McDonald was a "very serious threat to the officers and left them no choice at that point but to defend themselves."

Laquan McDonald was indeed shot in the chest (he was actually shot twice in the chest), but the deceptive statement omits the fact that Laquan was shot a total of 16 times, including multiple times as he laid helplessly on the ground. Most importantly, the video conclusively shows that the allegation Laquan lunged at any police officer, or that a police officer had to shoot Laquan in self defense, is false. Quite the contrary, when he was shot, Laquan had altered the direction he was headed and was jogging away from the officers on an angle toward the sidewalk on the west side of Pulaski.

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Page Six

This conduct, together with the attempt to coerce occurrence witnesses, and allowing the F.O.P. to disseminate false and misleading information, would form the basis for a “Code of Silence” Monell claim within the Department regarding the investigation of fatal police shootings. The City’s incredible track record in finding such shootings “justified” is set forth in the recently filed complaint of Estate of *McIntosh v. City of Chicago*, 15 C-1920. I submit the undisputed facts and circumstances of this case are much stronger than the allegations set forth in *McIntosh*.

Burger King Video

After Laqaun was killed by Officer Van Dyke, Chicago police officers demanded and received access to the surveillance video system at the Burger King restaurant located at 4060 S. Pulaski. After the police left the restaurant three hours later, employees discovered that eighty-six (86) minutes of surveillance video footage was missing from *each* of their 13 surveillance cameras. All video footage from 9:13 p.m. to 10:39 p.m. had been removed by Chicago Police Department investigators.

Immediately after the shooting Chicago police officers, including a Detective Egan, entered the Burger King located at 4060 S. Pulaski. The detective demanded the password to the surveillance video system from the assistant manager on duty. When he was informed only the store manager, who is not on duty, had the password, the detective demanded that she be called at home. He spoke to the store manager on the phone and demanded the password from her. The detective did not have a warrant for the Burger King surveillance video.

Chicago police officers were in the Burger King for several hours; from just after the shooting until after midnight. An internal surveillance camera shows police officers at the monitor and keyboard which controls the surveillance video system. In the morning, the store manager and the district manager reviewed the surveillance video and found that 86 minutes of the from each of 13 Burger King surveillance video cameras was missing. We are advised that IPRA subsequently requested and obtained a DVR of the video and, when they discovered the missing video, took possession of the Burger King DVR, which they retained for over two weeks.

We have interviewed and obtained affidavits from the Burger King Employees regarding their interaction with the police, and the missing video, (See Ex. C). We have requested a copy of that video in our earlier letter. If, in fact, 86 minutes of video footage was deleted, we believe such outrageous conduct, together with the attempt to coerce occurrence witnesses, and the dissemination of false and misleading information through the F.O.P., would confirm the basis for a Monell claim regarding a Code of Silence within the Chicago Police Department.

Family Background

Laquan McDonald had just turned 17 a month before his fatal encounter with Officer Van Dyke. Laquan was a young man who had overcome a great deal of hardship in his life and, with the help of others, was moving towards reunification with his younger sister and mother. Laquan also had a large and extensive support system, including his uncle, Pastor Marvin G. Hunter of Grace Memorial Baptist Church in the Lawndale, and a myriad of professionals who had dedicated a great deal of time and resources to help Laquan overcome the rough start to his life.

Tina Hunter gave birth to Laquan McDonald on September 25, 1997, when she was only 15 years old. At the age of 17, Ms. Hunter gave birth to the Laquan's sister, [REDACTED] (D.O.B. [REDACTED]). Tina Hunter herself remained in the care of DCFS until she reached the age of maturity and her case was closed.

In 2003, DCFS took Temporary Custody of Laquan and his sister, [REDACTED] based on allegations of physical abuse, primarily by Tina Hunter's paramour at the time. Laquan's great grandmother, [REDACTED], became the Laquan and [REDACTED]'s legal guardian. Laquan and his sister lived with his great-grandmother until she passed away on August 9, 2013. After [REDACTED] passed away, Laquan and his sister returned to live with their mother, Tina Hunter. Ms. Hunter subsequently filed a petition to regain full custody of her two children.

In May of 2014, DCFS had placed Laquan and his sister with their maternal uncle, [REDACTED], with the goal of returning both children to their mother within a year. In the year preceding his death, Laquan, [REDACTED] and their mother, Tina Hunter, worked with professional therapists and social workers through the Cook County juvenile justice system in order to achieve this goal.

Laquan McDonald was particularly close with his younger sister, [REDACTED] (14). At his funeral, [REDACTED] read a moving poem she wrote entitled "My Brother." (see Ex. D). The needless death of Laquan extended far beyond his immediate family. His funeral was attended by Juvenile Court Judge Marianne Jackson as well as teachers, social workers and other professionals he encountered in the juvenile system. According to these juvenile court professionals, they recognized the Laquan's potential and worked incredibly hard to help him overcome the rough start in his life. Laquan reportedly had ambition to attend college and become a nurse- a desire he developed having witnessed the decline in health and ultimate death of his great-grandmother, [REDACTED]

Thomas Platt
March 6, 2015
Page Eight

Conclusion

We have reviewed verdicts and settlements involving other fatal police shootings. However, we have been unable to find a comparable case in which the events were captured by a clear and unambiguous video that establishes (a) the victim was not advancing on the police, but was in fact 10-15 feet away at the time he was shot; (b) the victim was shot sixteen (16) times, including numerous shots as he laid on the street after (c) other officers followed the victim for blocks knowing he was armed with a knife, yet someone restrained themselves from ending his life. Based on the all the facts and circumstances of this case, we hereby demand **\$16,000,000.00** to resolve all claims on behalf of the estate of Laquan McDonald. We must insist on a response within seven (7) days.

Sincerely,

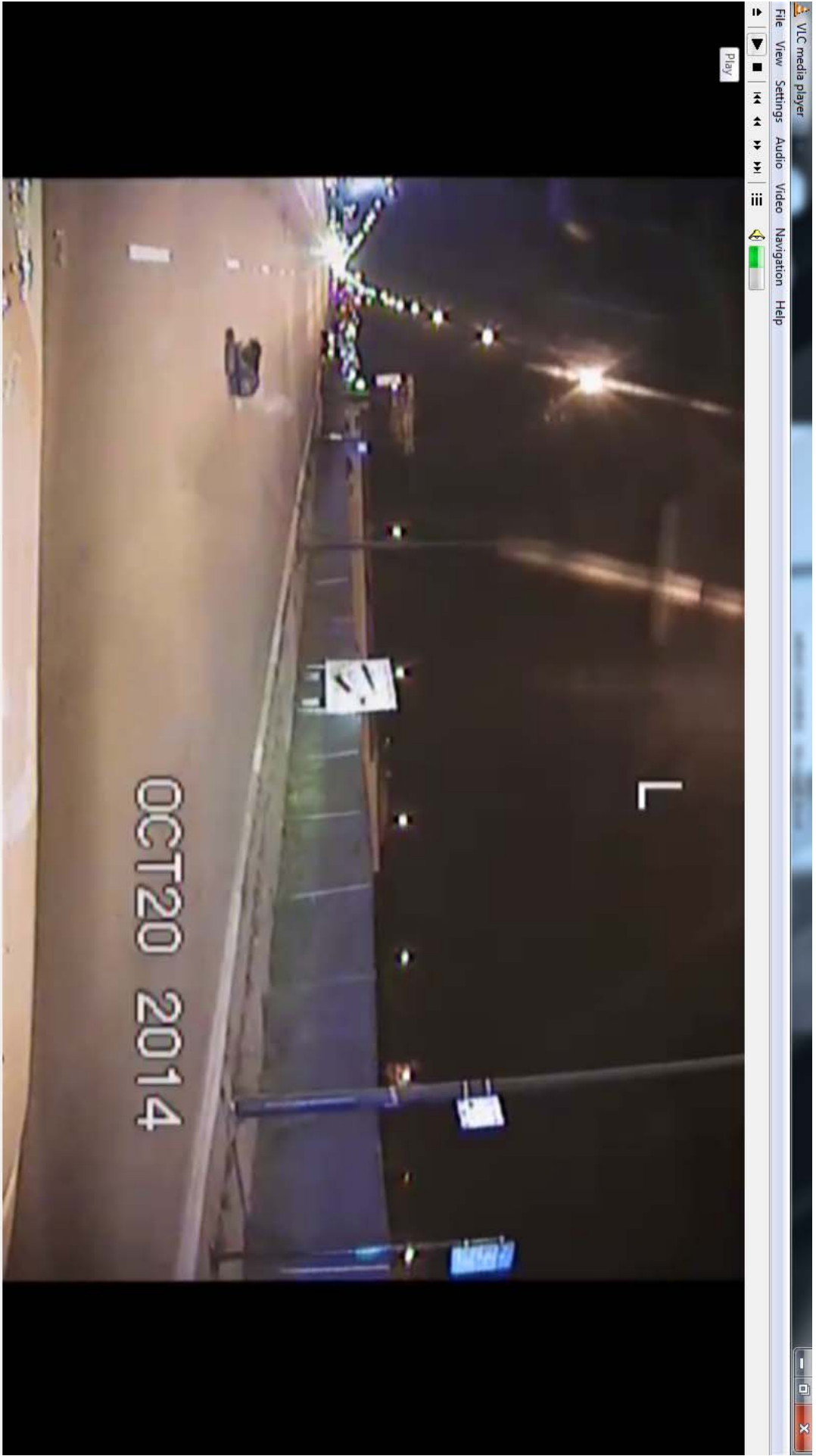
/s/ Jeffrey J. Neslund
Jeffrey J. Neslund

MDR:lc
Enclosures
cc: Michael D. Robbins



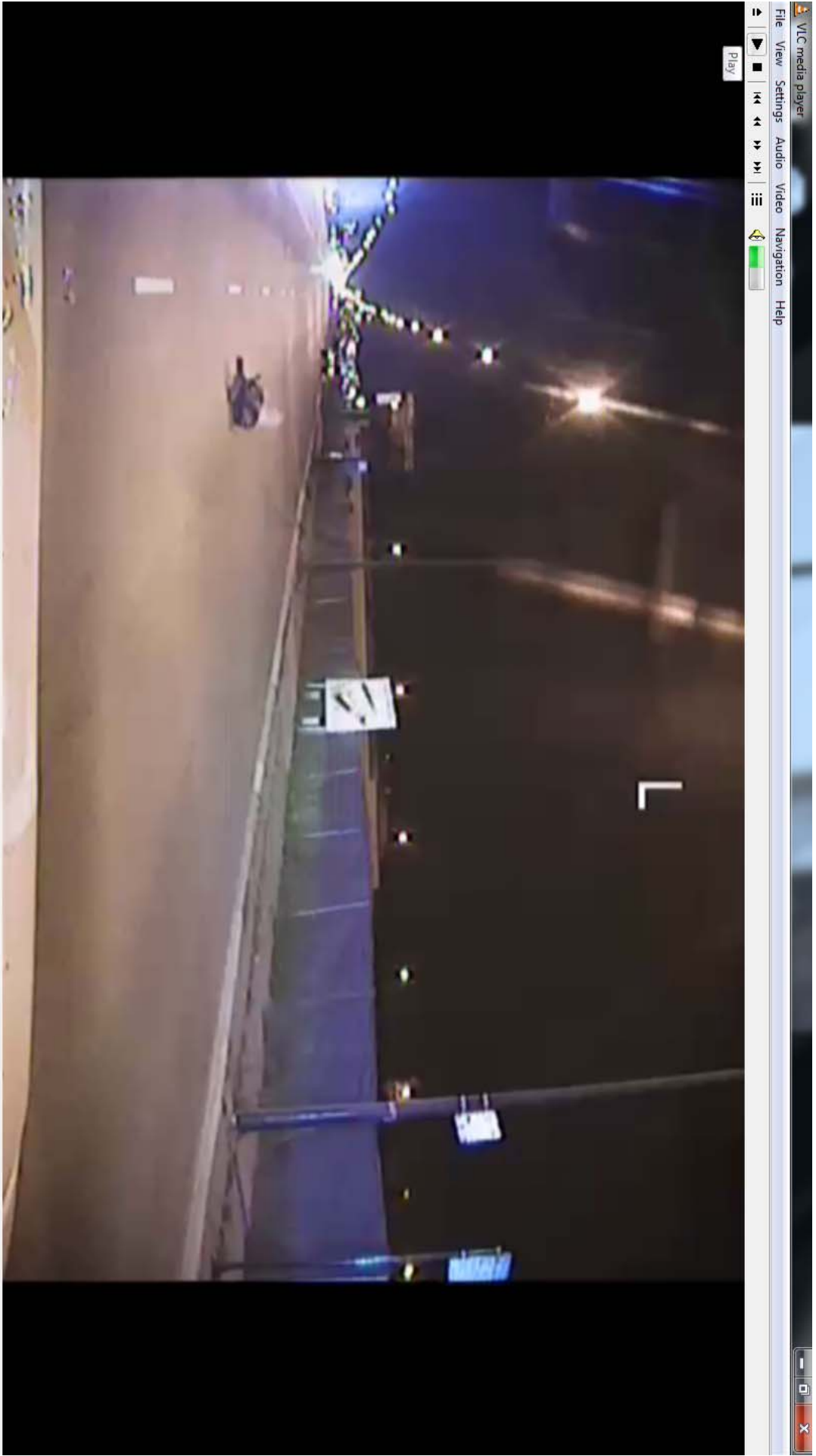
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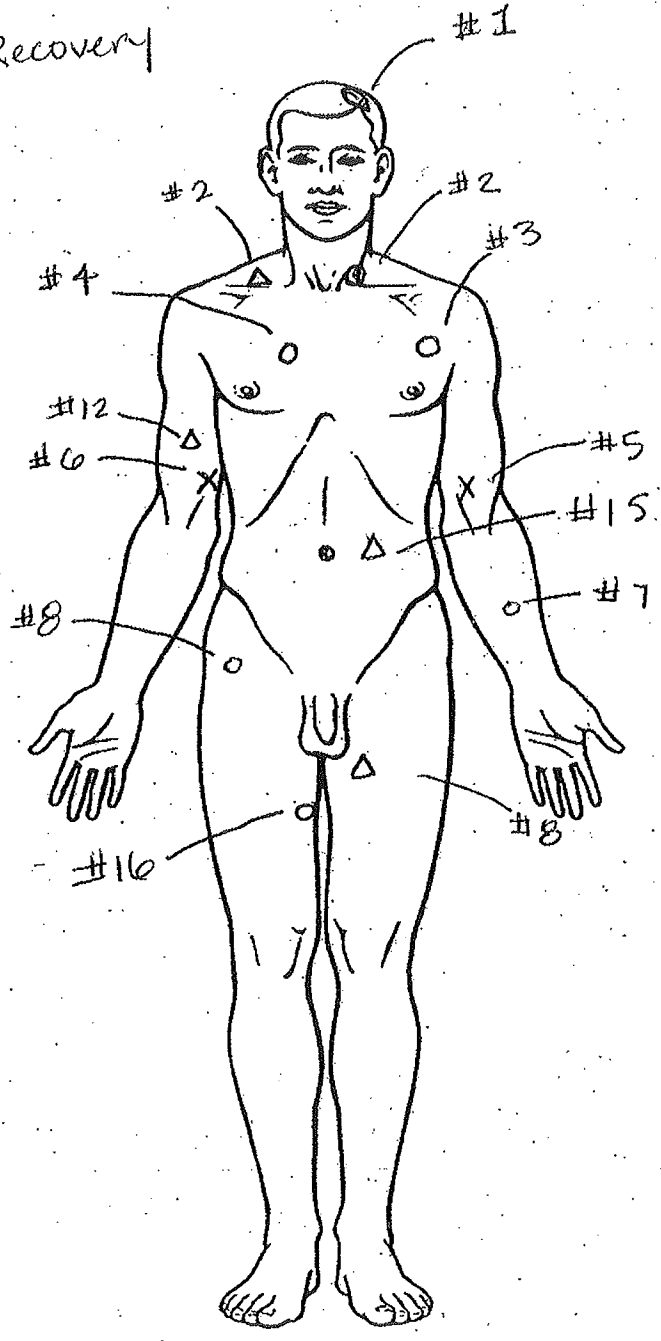
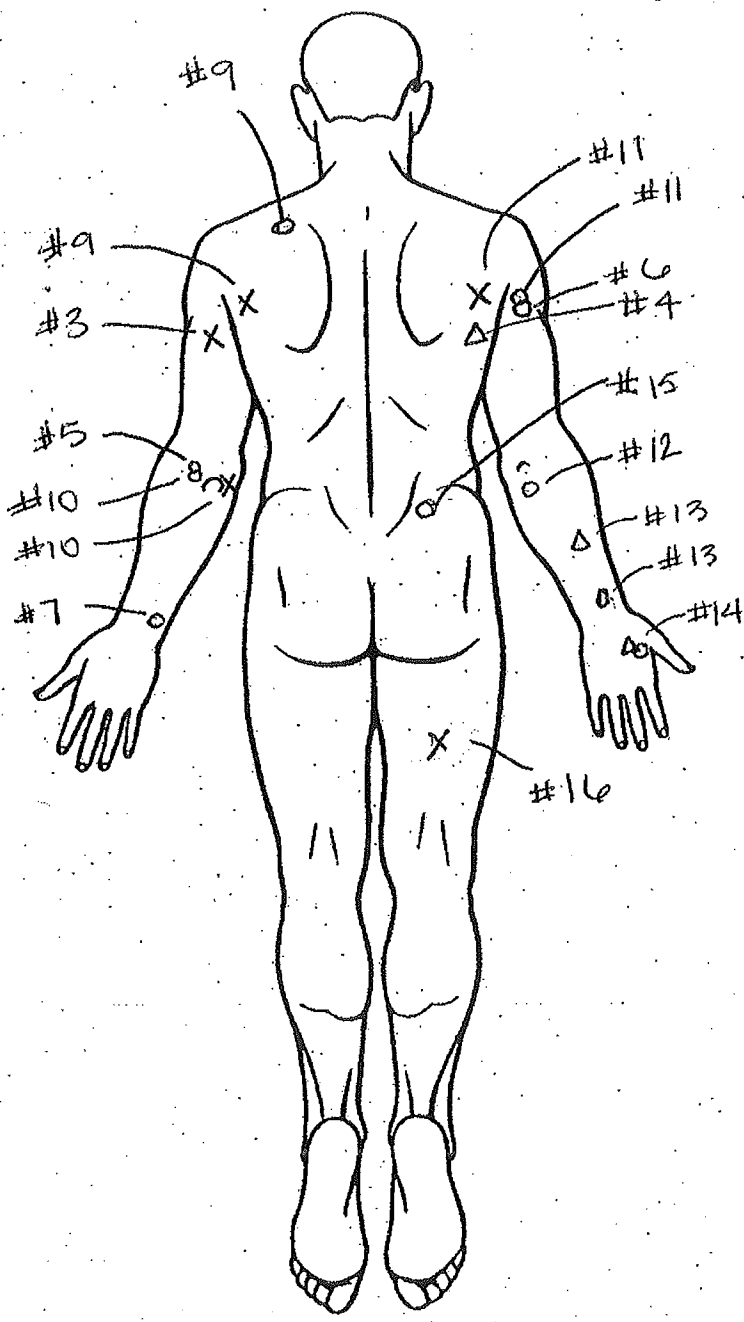
OFFICE OF THE MEDICAL EXAMINER
COUNTY OF COOK

NAME Laquan McDonald

CASE NO. ME2014-01071

AGE 17 y SEX M RACE B

o = Entrance
X = Exit
Δ = Recovery



DM

STATE OF ILLINOIS)
) SS.
COUNTY OF DUPAGE)

AFFIDAVIT OF [REDACTED]

NOW COMES [REDACTED], AND ON OATH STATES AS FOLLOWS:

1. I am currently employed as the IS&T Helpdesk Supervisor for Tri City Foods, Inc. ("*Tri City*"), a Burger King franchisee and the successor in interest to Heartland Food LLC ("*Heartland*").

2. Specifically, on November 20, 2014, Tri City Foods, Inc. ("*Tri City*") purchased the assets associated with two hundred fifty-five (255) Burger King franchised restaurant properties from Heartland and its operational entities.

3. I commenced my employment with Heartland as a Technical Support Analyst on or about August 7, 2005, at Heartland's offices located at 1400 Opus Place, Suite 900, Downers Grove, Illinois 60515.

4. In or around November of 2009, I was promoted to my current position.

5. Following the closing between Tri City and Heartland, I continued my employment as the IS&T Helpdesk Supervisor as a new employee of Tri City, at the same office location.

6. Among the Burger King franchised restaurants involved in the transaction between Tri City and Heartland was the restaurant located at 4060 S. Pulaski Road, Chicago, Illinois, commonly known as Burger King Restaurant No. 10366 (the "*Restaurant*").

7. In my capacity as the IS&T Helpdesk Supervisor, my responsibilities include NCR point of sales support, back office computer support and maintenance, camera system support and maintenance, end user technical support, network administration, and various other

related duties. I am familiar with the security systems located at the Burger King restaurant properties previously operated by Heartland and now operated by Tri City, including the security system located at the Restaurant.

8. The Restaurant has a custom built video surveillance system which utilizes GeoVision software, with thirteen (13) individual cameras connected to a DVR hard drive located within the office of the Restaurant (the “*Video System*”).

9. Each of the thirteen (13) cameras record in individual five (5) minute sequences. Each five (5) minute sequence is recorded and maintained in a separate file on the hard drive for each particular camera.

10. The Video System at the Restaurant has a default setting so that video footage can be viewed on the monitor by most persons only as the video is being recorded.

11. Only those employees in the position of general manager or higher are issued user names and passwords that permit them to log in to the Video System and review previously recorded video files.

12. Those employees that are issued user names and passwords for the Video System are not able to delete previously recorded video files.

13. I was made aware of an incident that occurred on October 20, 2014, at the Restaurant by the District Manager, [REDACTED]

14. Specifically, within several days of the incident, [REDACTED] contacted me and requested that I lock two (2) cameras from the Video System—Camera No. 01 and Camera No. 09—for the evening of October 20, 2014, and make a copy of the video footage recorded by those cameras.

15. Camera No. 01 shows video footage of the interior of the office where the DVR System is located at the Restaurant.

16. Camera No. 09 shows video footage of the Restaurant's drive thru entrance and north parking lot.

17. When I made the copy of the video footage as requested by [REDACTED], I discovered that Camera No. 01 and Camera No. 09 both had video footage missing for the period from 9:13 p.m. through 10:39 p.m. on the evening of October 20, 2014.

18. Assuming the cameras were recording at the regular intervals of five (5) minutes each, the missing eighty-six (86) minutes of video footage would require the deletion of seventeen (17) separate files of five (5) minute each for each camera.

19. Video footage for a camera can be deleted through the use of third-party tools even if the DVR system is online.

20. The video footage from Camera No. 01 (the interior office camera for the Restaurant) on October 20, 2014, shows an individual with a police vest sitting at the office computer at 10:39 p.m.

21. The video footage from that camera also shows the same individual sitting at the office computer system until the DVR for the Video System was completely turned off at 11:00 p.m. The DVR for the Video System was not restarted until 11:26 a.m. on October 21, 2014.

22. If a camera is completely offline, the camera is not communicating with the authentication server located in Downers Grove, Illinois.

23. With regard to the missing video footage for the period of 9:13 p.m. through 10:39 p.m. on October 20, 2014, I am aware of only two (2) possible explanations: (a) inadvertent moving of the data, rather than copying the data; or (b) intentional deletion.

24. To my knowledge, no employee of the Restaurant deleted any video footage from the DVR for the Video System on October 20, 2014.

25. I believe that a person with sophisticated knowledge of such video surveillance systems could delete video footage intentionally, even without the benefit of a username or password.

Further affiant sayeth not.

[Remainder of Page Intentionally Left Blank]

Under penalties of perjury as provided by Illinois law, the undersigned certifies that the statements set forth in this Affidavit are true and correct, except as to matters therein stated to be on information and belief and as to such matters, the undersigned certifies as aforesaid that he verily believes the same to be true.

[Redacted Signature]

Dated: 02-18 2015.

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

AFFIDAVIT OF [REDACTED]

NOW COMES [REDACTED], AND ON OATH STATES AS FOLLOWS:

1. I am the district manager over Burger King Restaurant No. 10366 located at 4060 S. Pulaski, Chicago, Illinois (the "Restaurant").

2. On the evening October 20, 2014, I received a phone call at home from the store manager, [REDACTED]. [REDACTED] informed me that there was an incident involving a police shooting near the location of the Restaurant and that police wanted access the security video system. I informed [REDACTED] to instruct the shift leader, [REDACTED], to cooperate with the police and we would look into it the following morning.

3. The DVR security system at the Burger King at 4060 S. Pulaski, Chicago, Illinois consists of 13 individual cameras positioned at various locations inside and outside the store. Each camera records video footage in five minute individual video files.

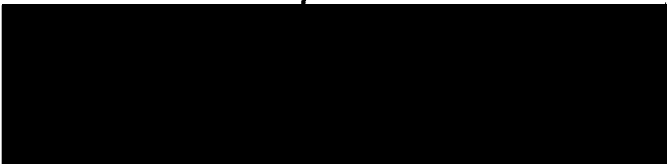
4. On October 21, 2014, I reviewed the DVR security videos from the Restaurant. I found that video footage had been removed from all 13 surveillance cameras at the Restaurant during the time period of 9:13 p.m. to 10:39 p.m. on October 20, 2014.

5. At the request of investigators from the Independent Police Review Authority, I took the entire DVR system to our Downers Grove office and had the video recordings that included the 86 minutes of missing video footage copied onto a DVD.

6. Subsequently, investigators from the Independent Police Review Authority took possession of the DVR from the Restaurant and had it in their possession for approximately 10 days.

7. Employees at the store level cannot access the DVR security system without a password. Even with the password, employees at the store level do not have the capability to delete or remove any video files from the DVR system.

Under penalties of perjury as provided by Illinois law, the undersigned certifies that the statements set forth in this Affidavit are true and correct, except as to matters therein stated to be on information and belief and as to such matters, the undersigned certifies as aforesaid that he verily believes the same to be true.



Dated: 2/25/15 2015.

Celebrating The Life

of

Laquan J. McDonald

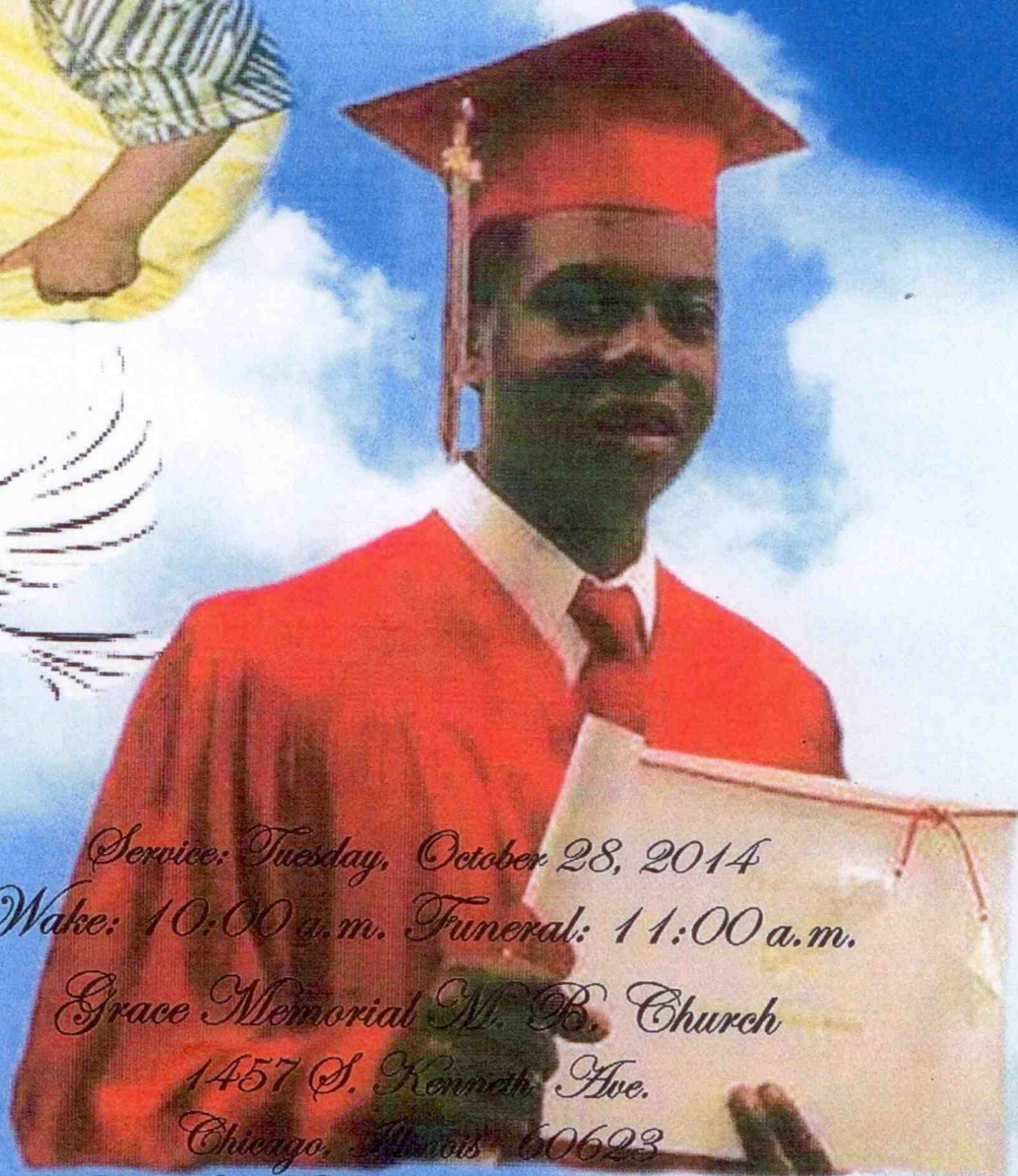


Sunrise:

September 25, 1997

Sunset:

October 20, 2014



Service: Tuesday, October 28, 2014

Wake: 10:00 a.m. Funeral: 11:00 a.m.

Grace Memorial M. B. Church

1457 S. Kenneth Ave.

Chicago, Illinois 60623

Rev. M. G. Hunter, Officiating

Obituary

Laquan J. McDonald was born on September 25, 1997 in Chicago, Illinois to Tina Hunter and Joseph Weak's. He was the oldest sibling of two. Mrs. Goldie Hunter his grandmother who raised Laquan, preceded him in death. Laquan attended Sullivan School. He was employed for HUD, as a demolitionist at the time of death.

Laquan received Jesus as his Savior in March of 2012 and was baptized at Kingdom Baptist Church.

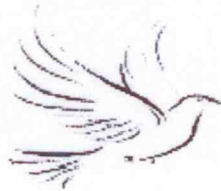
Laquan will be remembered as a very loving young man who had a playful spirit. He was known to encourage and uplift those who were down. Laquan loved music, had a special love for children, and will be missed for his wonderful smile.

Laquan leaves to cherish his memory; a loving, caring and devoted mother, Tina Hunter, his father Joseph Weak's, stepfather William McKinney who was a very important person in his life, maternal grandmother Tracy Hunter, maternal grandfather Terry Beasley, another special grandmother Mae Katherine Hunter, one sister, [REDACTED], a special uncle, Shyrell Johnson, and a host of other uncles, aunts, nieces, nephews and many friends.

"My Brother"

I love you, I never hated you. You were my life and my stone. You will always be my back bone. You are now gone to heaven where there is peace. No more trouble, and no more pain, Laquan was the only name. You were known for rapping and cracking jokes. You were a handsome young man that I know my heart is pounding and tears are falling thinking of you as a funny actor. You made me laugh, you made me cry, I never wanted to see you die. I love you no matter how time flies you are the best brother I know and you will never be forgotten for what you did.

Love always, Your Sister, [REDACTED]



Order of Service

Musical Prelude.....	
Processional.....	Family
Scripture.....	II Timothy 1:7
Prayer.....	
Selection.....	Grace Memorial Choir
Poem.....	"My Brother"..... [REDACTED]
Acknowledgements of Cards & Emails.....	Shyrell Johnson
Obituary.....	Shyrell Johnson
Poem.....	"He Is Love"..... William McKinney
Remarks.....	2 minutes please..... Family & Friends
Solo.....	Myrna Montgomery
Eulogy.....	Pastor M. G. Hunter
Benediction.....	Pastor M. G. Hunter
Recessional.....	

~Interment~

Forest Home Cemetery
863 Des Plaines
Forest Park, Illinois 60130

~Repast~

Grace Memorial Baptist Church
1457 S. Kenneth Ave.
Chicago, Illinois 60623
Following Burial

~Pallbearers~

Shyrell Johnson
William McKinney
Terrance Hunter
Michael Hunter
Earnest Hunter
Teetha Hunter

From: Platt, Thomas
Sent: Saturday, March 07, 2015 10:15 AM
To: Laura Coronado
Cc: Jeff Neslund; Michael Robbins
Subject: RE: Laquan McDonald

Got it and hard copy. Thx.

From: Laura Coronado [<mailto:lcoronado@lawmdr.com>]
Sent: Friday, March 06, 2015 4:37 PM
To: Platt, Thomas
Cc: Jeff Neslund; Michael Robbins
Subject: Laquan McDonald

Dear Mr. Platt:

Attached please find correspondence from Mr. Neslund and Mr. Robbins.

Thank you,

Laura Coronado
Assistant to Jeffrey J. Neslund
Law Offices of Jeffrey J. Neslund
20 North Wacker Drive, Suite 3710
Chicago, IL 60606
(312) 223-1100
Fax: (312) 781-9123
lcoronado@lawmdr.com
www.lawmdr.com

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From: Platt, Thomas
Sent: Monday, March 09, 2015 5:07 PM
To: Franklin, Liza
Subject: Futterman Kalven

http://www.huffingtonpost.com/2014/12/09/laquan-mcdonald-chicago-police-shooting_n_6296688.html

Thomas J. Platt
Deputy Corporation Counsel
Federal Civil Rights Division
30 N. LaSalle Street, Suite 900
Chicago, Illinois 60602
312-744-4833

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From: Platt, Thomas
Sent: Monday, March 09, 2015 6:01 PM
To: Franklin, Liza
Subject: FW: McDonald articles

Various links to other articles courtesy of Mike Robbins.

From: Michael Robbins [mailto:mdrobbins@lawmdr.com]
Sent: Monday, March 09, 2015 5:30 PM
To: Platt, Thomas
Cc: Jeff Neslund
Subject: McDonald articles

Tom,

Here are links to articles on the case:

<http://chicago.suntimes.com/chicago-politics/7/71/390180/report-chicago-police-shoot-teen-16-times-2>

http://www.huffingtonpost.com/2014/12/09/laquan-mcdonald-chicago-police-shooting_n_6296688.html

Here is a copy of the recent Law Bulletin article:

CC:



Serving the city's law profession since 1854

March 6, 2015

Fighting the 'code of silence'

By Jack Silverstein
Law Bulletin staff writer

For a man who has made a career out of suing police, [Craig B. Futterman](#)'s views on law enforcement aren't as straight forward as one might expect.

"The vast majority of us recognize that we need to give law enforcement ... extraordinary powers: the power to use force, the power to take our freedoms, the power to even shoot and kill," the University of Chicago Law School professor said.

For 15 years, Futterman has led the school's Civil Rights and Police Accountability Project, the nation's first, as he described it, "civil rights clinic that was devoted to issues of police accountability, service and criminal justice reform."

The clinic represents clients who allege abuse by the Chicago Police Department, engaging in litigation, policy-making and community service.

While the clinic has won big settlements for clients, it has also played a key role in Freedom of Information Act issues.

When Chicago police shot and killed Laquan McDonald in October, the department told reporters that officers shot the 17-year-old once in the chest out of self-defense, because he was holding a knife.

His autopsy revealed 16 gunshot wounds.

That document was made public last month through a successful FOIA request by Futterman and independent journalist Jamie Kalven.

The clinic also represented Kalven during his five-year pursuit to have police misconduct files made available to the public.

When CPD denied his FOIA request for those files, Kalven sued, and the case wound its way to the 1st District Appellate Court, where two third-year law students delivered oral arguments.

Last March, the panel ruled in Kalven's favor — a victory for the clinic, though it is also appealing a subsequent circuit court action in the case.

For Futterman, his work is about ensuring appropriate use of police powers — including the power to “shoot and kill.”

“I think the power to use deadly force is (necessary),” he said. “Yes. I do.”

The problem with that power, he said, is twofold — deadly force is overused, and police are rarely honest about its use.

“In a world where an incident like (McDonald) happens and the public statements are ‘Deny, deny, deny,’ and then close off and circle the wagons, and then a code of silence and an exoneration at the end of the day — in that system, you cannot create public trust,” he said. “It’s just that simple.”

Trust can be built, however, through transparency and honesty, he said.

“It means (saying to) that mom, who lost a son: ‘We’re not going to hide from you the person who took your son’s life. We’re not going to hide from the public. Just like we wouldn’t hide from the public a person who has been charged with or accused of a crime,’” he said.

“That’s the only way. That’s how you get trust.”

In an interview with the Daily Law Bulletin condensed for space, Futterman discussed how the goals of the clinic and the goals of CPD are the same, the responsibility bestowed upon his students and their push for police to release a video of McDonald’s shooting.

Law Bulletin: Is the clinic doing any work on the McDonald case?

Futterman: We do not represent anyone in that case. ... We were working with a classroom of (high school) students around youth-police relations, and in one of our conversations in response to a short article that

appeared in the press, our law students and our high school students had a conversation about that case. ...
(*Editor's note: McDonald's estate is represented by sole practitioners [Jeffrey J. Neslund](#) and [Michael D. Robbins](#).)*)

Students were sharing all of their own experiences of people who had been shot by police and nothing ever happening. The same narratives always emerged — that it was a justified shooting, that someone had a knife, a weapon, came at the police officer and was shot in self-defense or in defense of the other.

Typically, this would go away. They'd say it was under investigation. "Nothing to be written, nothing to be seen." There weren't findings that resulted in any criminal prosecutions downstream.

So students asked those questions, and then I received a confidential tip from inside the department about that case. We thought this was worth looking into a lot further and investigating as a part of our community project and as a part of the work we do around transparency and around police accountability and the issues of race and the police.

LB: What was the nature of the tip?

Futterman: That this is really horrific. This looked to at least some people in the department that it may be an execution. That people hadn't seen anything like this, and that there was a videotape of what occurred — that video of the shooting was caught on police in-car cameras.

And that those videos would show the truth ... that there was a situation that appeared to be under control, and there wasn't any immediate risk of human life, and that an officer then just got out of his car and shot Laquan when he was cornered between a construction fence in a pretty deserted area, and then after being on the ground the same officer unloaded his gun multiple times.

So we investigated ... and then also uncovered another confidential witness, a civilian who was there and saw it and told us in his own words what happened that was consistent with our sources inside. ...

I'm not in a position to say how many of the nearly 50 (Chicago police) shootings a year ought to be founded and how many shouldn't be founded. I don't know. But what we've learned, not just through this investigation, is that there have been serious problems with the way that police misconduct and police use of force have been investigated in Chicago. And that's something that needs to be addressed. ...

Just even that conversation itself, hopefully, can lead to collaborative work to address what needs to be addressed. It can do wonders to improve public trust.

LB: You were surprised to hear that it sounded as if police had shot this boy 16 times. Were you also surprised to receive a tip like this at all? Are you receiving tips regularly?

Futterman: "Regularly" may be an overstatement, but yes, there are officers and even high-level folks — supervisors — who will provide confidential tips on a number of occasions. The goals of this clinic and this project are consistent with the very same goals of police departments around the nation. They are not competing or at odds. ...

There are plenty of police officers — it's not just the few on the margins — who hate police abuse and the impunity with which some of the few have been allowed to get away with ... because it makes their jobs a living hell. They get treated with hostility by community members as a result.

The code of silence — protecting officers, which is very real and has been found just a few years ago by a jury here in Chicago — does as much if not greater harm to the police department ... as it does to people who have been victimized by abuse.

So it's not surprising to me that there are many officers — and so many who are officers for all the right reasons and who care about service — who want to end these practices and who don't like seeing colleagues who are abusive abuse the badge and steal their honor. ...

Whistleblowers need to be able to step forward. They need to be protected, and they actually need to be — just as we would reward with a medal of valor other great police work — when a police officer exposes corruption or abuse, that officer should be equally rewarded and held out as an example. Meaning, leadership standing behind those officers as opposed to standing behind a wall of silence or worse than a wall of silence.

Laquan McDonald is a great example. It's not just silence. A code of silence in some ways might be a misnomer, because it's not just about keeping silent in the face of misconduct. It's about changing the narrative.

LB: You mean lying?

Futterman: Yeah, lying. It's about fabrication. ...

LB: You've been in the news a lot lately, but general audiences might not make the connection between your work and the clinic. What value can law students have in dealing with police accountability?

Futterman: Students don't play the role of traditional law clerk in the clinic. It's not students doing background research while me, a seasoned lawyer and professor, presents the arguments, writes all the briefs, etc.

Our law students ... do everything from the guts to the glory. ... In the Freedom of Information Act case that we talked about, it was two law students who presented oral arguments in front of the court of appeals. Not me.

We run an incredibly inefficient practice from a service perspective. My job is to teach those students and prepare them to be able to do this stuff. ...

I'm never going to put a law student in a situation that she cannot handle, for obvious and serious ethical reasons. ... But I've learned through experience that law students ... can excel and do not just a good and adequate and competent job but can do excellent work.

Michael D. Robbins
Michael D. Robbins & Associates
20 North Wacker Dr.
Suite 3710
Chicago, IL 60606
312/899-8000

mdrobbins@lawmdr.com

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From: WILLIAM G DELANEY (States Attorney) <william.delaney@cookcountyil.gov>
Sent: Wednesday, March 11, 2015 5:32 PM
To: Platt, Thomas
Subject: Re: Interview transcripts on VanDyk OIS

You're welcome.

Sent from my iPhone

On Mar 11, 2015, at 5:28 PM, Platt, Thomas <Thomas.Platt@cityofchicago.org> wrote:

Yes. Thanks.

From: WILLIAM G DELANEY (States Attorney) [<mailto:william.delaney@cookcountyil.gov>]
Sent: Wednesday, March 11, 2015 5:28 PM
To: Platt, Thomas
Cc: Ando, Scott
Subject: Re: Interview transcripts on VanDyk OIS

Thanks, Scott.

Tom - it will be tomorrow, at the earliest, before we call. I'll keep you posted if that's ok.
Thanks.

Bill

Sent from my iPhone

On Mar 11, 2015, at 5:20 PM, Platt, Thomas <Thomas.Platt@cityofchicago.org> wrote:

I am here now

From: Ando, Scott [<mailto:Scott.Ando@iprachicago.org>]
Sent: Wednesday, March 11, 2015 5:15 PM
To: WILLIAM G DELANEY (States Attorney)
Cc: Platt, Thomas
Subject: RE: Interview transcripts on VanDyk OIS

Sure. Tom's number is 312-744-4833. I've cc'd him on this so you have his e-mail as well, so I'll leave it to you guys sort it out. I have the transcribed interviews (excepting 2 in Spanish we are waiting on) on a thumb drive already if you all decide that doing so is ok. Thanks.

Scott M. Ando

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From: WILLIAM G DELANEY (States Attorney)
[mailto:william.delaney@cookcountyil.gov]
Sent: Wednesday, March 11, 2015 5:02 PM
To: Ando, Scott
Subject: Re: Interview transcripts on VanDyk OIS

Hey Scott,

I apologize for not getting back with you sooner. Based on our Monday meeting, the plan is for AUSA April Perry and/or me to contact Tom Platt before the end of the week. April may have his # but if you can send it to me I'd appreciate it. Thank you.

Sent from my iPhone

On Mar 11, 2015, at 4:51 PM, Ando, Scott <Scott.Ando@iprachicago.org> wrote:

Hi Bill. Did you get a chance to ask your colleagues and superiors at the SAO and USAO for their thoughts on my giving transcripts of the civilian witness interviews to our Department of Law (specifically, Asst Corp Counsel Tom Platt) for their use in settlement negotiations with the attorneys (Nesland and Robbins) representing the Laquan McDonald estate? I can always put you (or whoever you think is the right person) in contact with Tom Platt to discuss it.

Scott M. Ando
Chief Administrator
Independent Police Review Authority
1615 W. Chicago Ave., 4th Floor
Chicago, IL 60622
Tel. (Direct): 312-746-3551
Cell: 312-545-4379
e-mail: scott.ando@iprachicago.org

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From: Jeff Neslund <neslundlaw@yahoo.com>
Sent: Wednesday, March 11, 2015 5:59 PM
To: Platt, Thomas;Michael Robbins
Subject: McDonald W-2
Attachments: W-2-Laquan McDonald.pdf

Attached is the 2014 W-2 for Lequan McDonald from the Youth Action Program (Y.A.P.).

Law Offices of Jeffrey J. Neslund
20 N. Wacker Dr.
Suite 3710
Chicago, IL 60606
Tel: 312.223.1100
Fax:312.781-9123

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From: Jeff Neslund <neslundlaw@yahoo.com>
Sent: Wednesday, March 11, 2015 5:59 PM
To: Platt, Thomas;Michael Robbins
Subject: McDonald W-2
Attachments: W-2-Laquan McDonald.pdf

Attached is the 2014 W-2 for Lequan McDonald from the Youth Action Program (Y.A.P.).

Law Offices of Jeffrey J. Neslund
20 N. Wacker Dr.
Suite 3710
Chicago, IL 60606
Tel: 312.223.1100
Fax:312.781-9123

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From: Platt, Thomas
Sent: Thursday, March 19, 2015 11:34 AM
To: Jeff Neslund;Michael Robbins
Subject: RE: Jaquon McDonald
Attachments: Questions re LaQuan McDonald for plaintiff counsel.docx

Dear Jeff, Mike

Attached are questions we would like answered regarding this case.

From: Jeff Neslund [<mailto:neslundlaw@yahoo.com>]
Sent: Friday, March 13, 2015 2:05 PM
To: Platt, Thomas; Michael Robbins
Subject: Jaquon McDonald

Tom,
Are we going to get a look at the requested materials today?

Law Offices of Jeffrey J. Neslund
20 N. Wacker Dr.
Suite 3710
Chicago, IL 60606
Tel: 312.223.1100
Fax:312.781-9123

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Questions re LaQuan McDonald

1. Tina Hunter: What is her age, date of birth, who does she live with; who is her employer; is she married; does she have other children; are any children of the same father as LaQuan; does she have any other means of support or income? Is [REDACTED] LaQuan's sister? Did LaQuan have any other siblings or close relatives? What period of time did LaQuan live with Tina Hunter? What addresses/time periods did Tina Hunter live with LaQuan? Why was LaQuan removed from her custody? What period of time was LaQuan removed from Tina's custody? Did LaQuan ever live with Tina Hunter after she no longer had custody? If so, at what addresses/periods of time? Who else lived in these household(s). To what extent did Tina Hunter financially support LaQuan? Was she involved in his educational or social development? If so, to what extent/what periods of time?
2. Joseph Weaks: Does he acknowledge paternity? Did he have any involvement in LaQuan's life socially or financially? How much/ often did he see LaQuan during his lifetime? When was the last time he saw or spoke to Laquan prior to his death?
3. LaQuan's Education: What schools did he attend? What years, grades did he attend at John Hay elementary? What was the basis of his special ed status? What disability did he have? Did he have an IEP? If so, can you make it available? Was he suspended or expelled from Hay or any other school? What years did he attend Sullivan Alternative School? Why was he suspended at the time of his death? Had LaQuan had previous disciplinary problems at Sullivan? What were his most recent grade reports from 2014 and 2013? Had LaQuan attended other alternative grade or high schools? Had he been suspended or expelled from any of them? If so, why? What were grades in elementary and high school? Do you have any school/grade records?
4. Who were the major influences in LaQuan's life? What impact/support did these persons have on LaQuan's physical, mental, educational and social development? Was he in foster homes? If so, when, at what ages? Did he live continuously with Goldie Hunter for any period of time? If so, what years or ages of his life? Who else lived in the household with Goldie? What other homes/residences if any did LaQuan live while in Goldie's custody? How is Shyrell Johnson related to LaQuan? What period of time did LaQuan live with him? Where did LaQuan live with Johnson? Who else lived in the Johnson household? Did Johnson have or take on any responsibility for LaQuan's education or employment activities? Did Johnson or someone else in that household provide financial, social or emotional support to LaQuan? When LaQuan did not return home on Oct. 18, 2014 did Johnson or someone else contact police? Did Johnson verify that LaQuan buzzed his door on October 20? Do we know LaQuan's whereabouts/activities for the day, week and month prior to his death?
5. LaQuan's arrests: His criminal history lists 26 arrests. Was Tina Hunter, Goldie Hunter, Shyrell Johnson or any other adult in LaQuan's life aware of these arrests? Who took custody or responsibility for LaQuan after or as a result of these arrests? Did any of the arrests occur in

LaQuan's household or involve LaQuan's family? Was LaQuan associated with any street gangs. Was he affiliated with New Breed? If so when, what capacity? Was LaQuan's family/supporting adults aware that was charged with numerous narcotics offenses, battery, resisting, obstructing, reckless conduct, agg. Battery to a peace officer, assault, alcohol to minor offenses? Did any offenses occur on school grounds or while LaQuan was in probationary, home monitoring or other supervised or in custody status? Was he ever confined in the Juvenile Detention Center (Audy Home)? If so, when and for what offenses? Was he ever adjudicated a delinquent or convicted any offenses? LaQuan's criminal history shows his residence at 501 N. Springfield, 35 N. Lorel, 1126 N. Laramie and 957 N. Lavergne. Who lived with LaQuan at these addresses?

6. Was LaQuan diagnosed with any physical/mental illnesses or conditions during his lifetime? If so, by which facilities, therapists or psychiatrist/psychologist? Was he on any medications for these illnesses? What behavioral characteristics were associated with these illnesses? Was he treated at Hartgrove? Was he ever an inpatient at Hartgrove or any other mental health facility? If so, when, and for what reasons? What was the diagnosis and treatment? Did LaQuan have any major illnesses or hospitalizations during his lifetime? If so, what were the conditions and where was he treated? Was LaQuan ever diagnosed or treated for substance abuse? If so, where and when was the diagnosis/treatment?
7. LaQuan's Guardianship: Who had legal custody of LaQuan at the time of his death. Was Tina Hunter attempting to re-gain guardianship? When did she begin this process? What was the progress of her petition? What was the purpose/result of the guardianship proceeding in May? Did Judge Marianne Jackson take a special interest in LaQuan or his situation? Does she have any current influence with the family?
8. Hospital/Funeral What relatives, friends, acquaintances, church leaders/pastors/community leaders attended LaQuan's funeral or wake? Where is LaQuan buried? Who paid the expenses of his funeral/burial or hospital expenses?
9. LaQuan's Financial Support, Employment: Describe location, duties, term of employment of LaQuan's job with YAP/Lutheran Social Services. Who were his supervisors and co-workers? What was his job performance and attendance like? What other employment if any did he have in his lifetime? Who provided financial support to LaQuan during his life and what did that support consist of?

From: Collins, Adam
Sent: Thursday, March 19, 2015 11:57 PM
To: Rountree, Janey
Subject: Fw: Media List
Attachments: 18 March 2015.xls

Follow Up Flag: Follow up
Flag Status: Completed

This is the most recent list, which comes to me straight from FOIA

From: Wade, Landon J. <Landon.Wade@chicagopolice.org>
Sent: Wednesday, March 18, 2015 2:52 PM
To: Peters, Lynda; Schrader, Lisa; Mulaney, Carolyn; Collins, Adam; Breymaier, Shannon; Holden, John; Rasmus, Chloe; Gulliford, Wayne M.; Schmeer, Paula C.; Maloney, Martin; Rottner, Jennifer E.; Tracy, Robert; Hickey, James K.; Bazarek, William; Shear, Marvin J.; Price, Ralph M.; Williams, Eugene E.; Rivera, Juan J.; Riccio, Anthony J.; Roussell, James M.; Escalante, John J.; Harris, David G.; Corral, Mayda; Collins, Terrence J.; Winstrom, Eric W.; Sedevic, Mark T.; Lavery, Timothy A.; Quinn, Kelley
Subject: Media List

All,

Please see attached Media List

Landon J. Wade
Sergeant
Chicago Police Department
Office of Legal Affairs, Unit 114
312.745.6396

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15-1074 (Evelyn Wang-Northwestern University)

Requester is asking for any and all police reports related to the shooting and death of Laquan McDonald around the date of 20 Oct 14. All investigative superseding reports if other agencies were involved.

CPD will deny this request due to the ongoing investigation.

Jennifer Rottner
Assistant Director
Office of News Affairs
312-745-6110

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From: Rottner, Jennifer E. <Jennifer.Rottner@chicagopolice.org>
Sent: Friday, March 20, 2015 9:26 AM
To: Rountree, Janey;Collins, Adam;Rasmas, Chloe
Cc: Maloney, Martin
Subject: RE: FOIA-COB Today

Thanks Janey. I really appreciate your help and insight into the world of FOIAs!

I'm working on collecting more information for the spreadsheet as well, so maybe we can find a time on Monday to chat once you have had some time to go through it and get caught up? Happy to work with your schedule to put some time aside.

Thanks again.

From: Rountree, Janey [<mailto:Janey.Rountree@cityofchicago.org>]
Sent: Friday, March 20, 2015 9:24 AM
To: Rottner, Jennifer E.; Collins, Adam; Rasmas, Chloe
Cc: Maloney, Martin
Subject: RE: FOIA-COB Today

Hi Marty and Jennifer – as Adam mentioned, I'll be helping with FOIA for the next three weeks as we try to triage the insanity that is the Mayor's Office press room right now. It will take me a day or so to get up to speed but feel free to email me first if you want to talk through any particular request/production.

From: Rottner, Jennifer E. [<mailto:Jennifer.Rottner@chicagopolice.org>]
Sent: Friday, March 20, 2015 9:09 AM
To: Collins, Adam; Rasmas, Chloe
Cc: Maloney, Martin; Rountree, Janey
Subject: RE: FOIA-COB Today

+Janey

From: Collins, Adam [<mailto:Adam.Collins@cityofchicago.org>]
Sent: Friday, March 20, 2015 9:08 AM
To: Rottner, Jennifer E.; Rasmas, Chloe
Cc: Maloney, Martin
Subject: Re: FOIA-COB Today

Ok here. Can you please add Janey to these emails too? :)

From: Rottner, Jennifer E. <Jennifer.Rottner@chicagopolice.org>
Sent: Friday, March 20, 2015 9:06 AM
To: Collins, Adam; Rasmas, Chloe
Cc: Maloney, Martin
Subject: FOIA-COB Today

This will be sent by COB today. Please let me know if there are any issues or concerns (this is consistent with the rest of the denial letters re: Laquan McDonald)

From: Rountree, Janey
Sent: Friday, March 20, 2015 10:36 AM
To: Rottner, Jennifer E.
Subject: Re: FOIA-COB Today

Got it thanks

From: Rottner, Jennifer E. <Jennifer.Rottner@chicagopolice.org>
Sent: Friday, March 20, 2015 10:34:16 AM
To: Rountree, Janey
Subject: RE: FOIA-COB Today

Per FOIA: the victim whose name is redacted is the surviving victim from this incident. The other two are the homicide victims. They said no matter if a case is closed or not, due to personal privacy, the victim who survived will have their name redacted.

From: Rountree, Janey [<mailto:Janey.Rountree@cityofchicago.org>]
Sent: Friday, March 20, 2015 10:29 AM
To: Rottner, Jennifer E.
Subject: FW: FOIA-COB Today

Jennifer,

Do we only redact the victims' names if they are juveniles? Just wondering why some names were redacted and others not.

From: Collins, Adam
Sent: Friday, March 20, 2015 10:25 AM
To: Rottner, Jennifer E.; Rasmus, Chloe; Rountree, Janey
Cc: Maloney, Martin
Subject: Re: FOIA-COB Today

Thanks

From: Rottner, Jennifer E. <Jennifer.Rottner@chicagopolice.org>
Sent: Friday, March 20, 2015 9:52 AM
To: Collins, Adam; Rasmus, Chloe; Rountree, Janey
Cc: Maloney, Martin
Subject: RE: FOIA-COB Today

This will be sent out by COB today. Please let me know if there are any issues/concerns. Thanks.

15-1454 (Raul Moreno-CBS)

Requester is asking for 911 calls from Monday, March 16, 2015 around 3:10 am when a shooting occurred outside of the Dolphin Nightclub at 2200 N. Ashland. Two people were killed and another was injured. Surveillance video taken from the scene or neighboring businesses and any corresponding documents related to the incident.

CPD denied the request for 911 calls, as that is managed by OEMC. Also, there were no responsive records for any surveillance video. CPD will provide a copy of the original case incident report, with certain information redacted (see attached pdf)

From: Rottner, Jennifer E.
Sent: Friday, March 20, 2015 9:07 AM
To: 'Collins, Adam'; 'Rasmas, Chloe'
Cc: Maloney, Martin
Subject: FOIA-COB Today

This will be sent by COB today. Please let me know if there are any issues or concerns (this is consistent with the rest of the denial letters re: Laquan McDonald)

15-1074 (Evelyn Wang-Northwestern University)

Requester is asking for any and all police reports related to the shooting and death of Laquan McDonald around the date of 20 Oct 14. All investigative superseding reports if other agencies were involved.

CPD will deny this request due to the ongoing investigation.

Jennifer Rottner
Assistant Director
Office of News Affairs
312-745-6110

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From: Laura Coronado <lcoronado@lawmdr.com>
Sent: Friday, March 20, 2015 5:33 PM
To: Platt, Thomas
Cc: Jeff Neslund;Michael Robbins
Subject: LaQuan McDonald
Attachments: PLATT 3-20-15.pdf

Dear Mr. Platt:

Attached please find correspondence in response to your email of March 19, 2015.

Laura Coronado
Assistant to Jeffrey J. Neslund
Law Offices of Jeffrey J. Neslund
20 North Wacker Drive, Suite 3710
Chicago, IL 60606
(312) 223-1100
Fax: (312) 781-9123
lcoronado@lawmdr.com
www.lawmdr.com

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LAW OFFICES OF JEFFREY J. NESLUND
20 North Wacker Drive, Suite 3710
Chicago, Illinois 60606
(312) 223-1100 / (Fax) (312) 781-9123

March 20, 2015

Thomas Platt
Deputy Corporation Counsel
City of Chicago – Federal Civil Rights Litigation
30 N. LaSalle Street, Suite 900
Chicago, IL 60604

Re: LaQuan McDonald, deceased

Dear Counsel:

The answers below are in response to your questions in your email of March 19, 2015:

1. Tina Hunter: 32 years old, date of birth: June 24, 1982; currently does weekly volunteer work at the Grace Memorial Baptist Church on 14th & Kenneth, Chicago; never married. One other child, [REDACTED], date of birth March 28, 2000; LaQuan and his sister have different fathers.

- LaQuan lived with his mother and sister until they were taken into custody by DCFS in June 2003; reportedly a DCFS hotline call was made that Ms. Hunter's paramour struck LaQuan in the chest and face outside of his day care and appeared to be intoxicated;

- Ms. Hunter's grandmother, Goldie Hunter, became LaQuan and his sister's legal guardian; Goldie Hunter died on August 9, 2013. LaQuan and his sister moved back in with Tina Hunter at 35 N. Lorel, Apartment 3-W. Ms. Hunter contacted DCFS and self reported that her children had moved back with her. Thereafter, she filed a petition in Juvenile Court seeking custody of her children and that legal guardianship be restored to her. Ms. Hunter's petition to regain full guardianship of her children was pending at the time of the LaQuan's death, and remains pending as to her daughter. She had received approval for unsupervised visits and the goal was to return both children to her custody by May 1, 2015.

2. Joseph Weak's: Mr. Weak's has not acknowledged paternity and had no involvement in the LaQuan's life socially or financially. He is not listed on the birth certificate and it is unknown the last time he saw or spoke to LaQuan prior to his death.

Thomas Platt
Deputy Corporation Counsel
March 20, 2015
Page Two

3. LaQuan's Education: Lathrop Elementary School: pre-kindergarten-5th grade; John Hay Community Academy: 5th-7th grade; Moses Montefiore Academy: 7th-8th grade; UCAN Academy: 9th-10th grade; Nancy B. Jefferson (Audy Home) January - May 2014; Sullivan House: September - October 20, 2014.

LaQuan reportedly had an Individualized Education Plan (IEP), which began at when he attended John Hay Academy. We are not in possession of the plan or any disciplinary records.

Robin Johnson was LaQuan's Sullivan House mentor, advocate, and teacher. Ms. Johnson advised that she had daily interactions with LaQuan and taught two of the courses he was taking at Sullivan House. Ms. Johnson reported that was a "very respectful and reserved" student who did not display aggressive or violent behavior. She stated that LaQuan's attendance was good and he was engaged in his school work. In order to be accepted at Sullivan House, there is a three interview process followed by a 30-day trial period to make sure the student is a good fit and serious about their education.

LaQuan was serving a 2-day suspension at the time of his death for missing his 7th period class on Thursday, October 16, 2014. Ms. Robinson last spoke to LaQuan on Friday, October 17, 2014. Ms. Johnson met LaQuan's mother, Tina Hunter, who attended a staffing meeting, and recalls her going to the movies with LaQuan for his birthday, September 25th.

According to Ms. Johnson, LaQuan's last report card was from Nancy B. Jefferson and his grades were as follows:

A in Personal Finance; B in World Studies, C in Algebra; A in Music; C in Biology and B in Reading Work Shop. At the time of his death, LaQuan needed 14.5 additional credits to obtain his high school diploma.

4. Major Influences in the LaQuan's life: Mrs. Goldie Hunter, maternal great-grandmother who essentially raised the LaQuan until her death in August 2013; Tina Hunter, his mother; [REDACTED], his sister; William McKinney, (Tina's boyfriend for the past 10 years acted as a father figure to LaQuan); Shyrell Johnson, maternal uncle; Terry Beasley, maternal grandfather; Pastor Marvin G. Hunter, maternal uncle and spiritual advisor.

LaQuan was initially placed in a non-relative foster home when he was removed from his mother, Tina Hunter, in 2003. LaQuan was sexually abused by an older male in this foster home when he was five years old. Both LaQuan and his sister, [REDACTED] were placed in a relative foster home with their maternal great grandmother, Goldie Hunter, in July 2003. LaQuan's maternal uncle, Shyrell Johnson, and Brian Lee had been adopted by Ms. Goldie Hunter and also resided in the home.

Thomas Platt
Deputy Corporation Counsel
March 20, 2015
Page Three

██████ was placed with Shyrell Johnson in January 2014. LaQuan was placed with Shyrell Johnson in May 2014 following his release from the Juvenile Detention Center. Shyrell Johnson's four year old son also resided in the home.

LaQuan was serving a two day suspension from Sullivan House for cutting class on Thursday, October 16, 2014. He came to school Friday, October 17, 2014 and spoke with his teacher/mentor, Ms. Robin Johnson and used her cell phone to contact his Youth Advocate Program mentor, Sean Parker. LaQuan also spoke with his mother and told her he was staying with his cousin for the weekend.

5. LaQuan's Arrests: We are not in possession of LaQuan's Juvenile Court records and therefore, cannot answer many of these questions. Based on conversations with his mother, Tina Hunter, and uncle, Shyrell Johnson, LaQuan was on Juvenile Court Judge Marianne Jackson's probation for a narcotic offense. While on Judge Jackson's probation, LaQuan was arrested for possession of cannabis in January of 2014 and remained in the Audy Home until April or May of 2014 when he was placed with his uncle, Shyrell Johnson.

The addresses on the arrest records:

35 N. Lorel: this was Tina Hunter's old address.

1126 N. Laramie: this was Tina Hunter's grandmother, Mrs. Goldie Hunter's house.

6. Physical or Mental Illnesses: LaQuan was engaged in therapy services through Bobby E. Wright since January 2014. Ms. Jennifer Forbes conducted weekly individual and family therapy sessions with LaQuan and his mother, Tina Hunter. Ms. Forbes diagnosed LaQuan with Cannabis Dependency, Post Traumatic Stress Disorder (traumatic sexual abuse in foster care when he was 5 years old) and Chronic Bereavement (over the death of Mrs. Goldie Hunter and separation from his mother). LaQuan's mother came to family therapy sessions while LaQuan was detained in the Audy home and they continued weekly therapy sessions after his release in May of 2014.

We are not in possession of any records from Hartgrove Hospital; but LaQuan's mother reports he was admitted to Hartgrove Hospital when he was 11 or 12 years old for Attention-Deficit/Hyperactivity Disorder and Learning Disorder.

7. LaQuan's guardianship: DCFS had guardianship of LaQuan at the time of his death after his great grandmother and guardian, Mrs. Goldie Hunter, passed away in August of 2013. His mother, Tina Hunter, had a pending petition in Juvenile Court to regain custody of both her children after Mrs. Goldie Hunter passed away. At the time of LaQuan's death, the DCFS placement goal was to return both LaQuan and his sister, ██████ to Tina Hunter by May of 2015.

Thomas Platt
Deputy Corporation Counsel
March 20, 2015
Page Four

There was a joint hearing with the Delinquency Judge Jackson and Placement Judge Maxwell Griffin to determine appropriate placement for LaQuan in May of 2014. Judge Jackson was to determine his sentence for the violation of her probation and Judge Maxwell Griffin was to determine appropriate placement for LaQuan. It was determined to be in the best interest of the minor to grant temporary custody to LaQuan's uncle, Shyrell Johnson, who already had temporary custody of [REDACTED]. DCFS continued to have guardianship of both minors, with a placement goal of re-unification with Tina Hunter within a year.

8. Hospital/Funeral: LaQuan is buried at the Forest Home Cemetery, Forest Park, IL. The family does not want the sign-in book disclosed. However, the funeral was attended by his therapist, Jennifer Forbes; the principal and two teachers from John Hay Academy; Cook County Judge Marianne Jackson; two Juvenile court probation officers; three Juvenile court social workers; the director of Y.A.P. as well as his mentor Sean Parker.

9. LaQuan's Financial Support/Employment: Financial support was provided by the various family members identified in paragraph 4 above. Sean Parker was LaQuan's advocate/mentor from the Youth Advocate Program (YAP) that employed LaQuan on a part-time basis after school. See previously produced W-2 from YAP, Inc. LaQuan also received financial incentives from Lutheran Child and Family Services based on school attendance.

Per our conversation today, please advise us on the City's position regarding our settlement demand by Tuesday, March 24, 2015.

Regards,

/s/ Jeffrey J. Neslund
Jeffrey J. Neslund

JJN:lc

From: Michael Robbins <mdrobbins@lawmdr.com>
Sent: Monday, March 23, 2015 6:03 PM
To: Platt, Thomas
Cc: Jeff Neslund
Subject: RE: Jaquon McDonald
Attachments: PLATT 3-23-15.pdf

Tom,

Please see attached. We need to meet or hear from you by Wednesday.

Mike

Michael D. Robbins
Michael D. Robbins & Associates
20 North Wacker Dr.
Suite 3710
Chicago, IL 60606
312/899-8000

mdrobbins@lawmdr.com

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From: Platt, Thomas [<mailto:Thomas.Platt@cityofchicago.org>]
Sent: Thursday, March 19, 2015 11:34 AM
To: Jeff Neslund; Michael Robbins
Subject: RE: Jaquon McDonald

Dear Jeff, Mike

Attached are questions we would like answered regarding this case.

From: Jeff Neslund [<mailto:neslundlaw@yahoo.com>]
Sent: Friday, March 13, 2015 2:05 PM
To: Platt, Thomas; Michael Robbins
Subject: Jaquon McDonald

Tom,
Are we going to get a look at the requested materials today?

Law Offices of Jeffrey J. Neslund
20 N. Wacker Dr.
Suite 3710
Chicago, IL 60606
Tel: 312.223.1100
Fax:312.781-9123

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Fax (312) 781-9123
mdrobbins@lawmdr.com

March 23, 2015

Thomas.platt@cityofchicago.org

Thomas Platt
Deputy Corporation Counsel
City of Chicago – Federal Civil Rights Litigation
30 N. LaSalle Street, Suite 900
Chicago, IL 60604

Re: In re: the Estate of LeQuan McDonald, deceased

Dear Tom:

I am following up on our conversation this morning, in which you sought to schedule a meeting with the Corporation counsel on Friday. I indicated that I would get back to you after I talked to Jeff, but that we wanted to meet promptly. We have not been able to reach you this afternoon. We do not want to wait until the end of the week to meet.

Given the facts and circumstances surrounding this matter, many of which we have discussed with you at our initial meeting, the amount of time which has passed since our initial letter to you of March 6, 2015, the continuing (and building media interest) in the case and, in particular, the dash cam video, together with the sentiments of the family, we have come to a point at which we must have a clear indication if the case can be resolved now, or if it must be put into litigation.

On March 6, 2015 we tendered an eight page letter detailing the facts and circumstances of the claim, coupled with a demand. In the letter we stated that we were insisting on a response within seven days. On March 16, 2015, a week ago, we met with yourself and the Corporation counsel, and had a lengthy discussion and exchange of views regarding the case. During that meeting, the Corporation counsel discussed a range of settlements and verdicts of other cases, which we do not consider to be analogous to the value of these claims. For example, none of the cases discussed involve a person shot 16 times. None of the cases discussed involve a graphic video which depicts, in vivid detail, a 17-year-old being shot multiple times as he lay helpless on the street. Nor did any of the other cases we discussed involve the potential for a Monell claim of the magnitude of that which is clearly present in this case.

During the past week we had an opportunity, under the agreed-upon framework, to review the case file. We were dismayed to learn that your office shared information from our letter with members of the police department, who could be defendants in a code of silence Monell claim, despite the fact that the letter was sent to the City in confidence. We were also surprised to learn that the police reports we reviewed, which contained summaries of witness statements supposedly taken on October 20 and 21, 2014, almost 5 months ago, were “submitted” on March 15, 2015, nine days after the City received our demand letter.

We have confirmed that the narrative summaries contained in the police reports of *both* police and civilian witnesses are false. Civilian witnesses who are alleged to have told the police that they did not see the shooting, have told us they did indeed see the shooting, and that it was unnecessary (which of course, is entirely consistent with the dash cam video). One witness whom the police reports alleged did not see the shooting, in fact told multiple police officers that he saw the shooting, and it was “like an execution.” Civilian witnesses have told us that they were held against their will for hours, intensively questioned by detectives, during which they were repeatedly pressured by police to change their statements. When the witnesses refused to do so, the investigating officers simply fabricated civilian accounts in the reports.

We are confident that the dash cam video would be seen by a jury, irrespective of whether the City confessed liability. The dash cam video is relevant to the issue of malice on the part of the officer, as well as to the survival claim as evidence of the injury and suffering sustained by the plaintiff, who can be seen moving on the ground as he’s being shot. We are equally confident that there is a very strong code of silence Monell claim, to which the dash cam video would also be highly relevant.

As for damages, we are confident that LaQuan McDonald will be portrayed as a very positive and sympathetic figure by his teachers, court advocates, as well as by family members. We believe that a jury would be very receptive and sensitive to LaQuan’s mother, who was on the verge of reuniting her family when LaQuan was taken from her and his sister.

Due to the extraordinarily sensitive nature of this case, we have approached the City to determine if these claims can be promptly and fairly resolved. As such, we must insist on being advised of the City’s position no later than Wednesday March 25, 2015.

Sincerely,

/s/Michael D. Robbins

MDR:lc

Enclosures

cc: Jeffrey J. Neslund

From: cpds subpoena unit <cpds subpoena unit@chicagopolice.org>
Sent: Thursday, March 26, 2015 1:48 PM
To: Platt, Thomas
Cc: Perfetti, Joseph F.; Bazarek, William
Subject: Probate subpoena for the estate of LaQuan McDonald
Attachments: Scan 001.pdf

Tom, attached is the subpoena you requested. My direct number if I can be of further assistance is 5-5016

Mark Richards
Sergeant
Subpoena Unit #163
Chicago Police Department
office-312-745-5603

6449

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

The Estate of LaQuan McDonald

Plaintiff/Petitioner

v.

Defendant/Respondent

No. 14 P 7092

SUBPOENA IN A CIVIL MATTER (For Testimony and/or Documents)

To: Chicago Police Department, Attn: Subpoena Department
3510 S. Michigan Avenue
Chicago, IL 60653

- 1. YOU ARE COMMANDED to appear to give your testimony before the Honorable...
2. YOU ARE COMMANDED to appear and give your deposition testimony before a Notary Public at:
3. YOU ARE COMMANDED to mail the following documents in your possession or control to Jeffrey J. Neslund at 20 North Wacker Drive, Suite 3710, Chicago, IL 60606, on or before March 10, 2015 at 9:00 a.m.

(THIS IS FOR RECORDS ONLY. THERE WILL BE NO ORAL INTERROGATORIES.): SEE ATTACHED RIDER TO SUBPOENA.

Description continued on attached page(s).

YOUR FAILURE TO RESPOND TO THIS SUBPOENA WILL SUBJECT YOU TO PUNISHMENT FOR CONTEMPT OF THIS COURT.

Notice to Deponent:

- 1. The deponent is a public or private corporation, partnership, association, or governmental agency. The matter(s) on which examination is requested are as follows:

Description continued on attached page(s).

(A nonparty organization has a duty to designate one or more officers, directors, or managing agents, or other persons to testify on its behalf, and may set forth, for each person designated, the matters on which that person will testify. Ill. Sup. Ct. Rule 206.)

- 2. The deponent's testimony will be recorded by use of an audio-visual recording device, operated by
3. No discovery deposition of any party or witnesses shall exceed three hours regardless of the number of parties involved in the case, except by stipulation of the parties or by order upon showing that good cause warrants a lengthier examination. Ill. Sup. Ct. Rule 206(d).

Atty. No. 41155 Pro Se 99500
Name: Jeffrey J. Neslund
Atty. for: Estate of LaQuan McDonald
Address: 20 N. Wacker Drive, Suite 3710
City/State/Zip: Chicago, IL 60606
Telephone: (312) 223-1100

Issued by: [Signature] Signature

- Attorney
Clerk of Court

Date: February 10

- I served this subpoena by mailing a copy, as required by Ill. Sup. Ct. Rules 11, 12 and 204(a)(2), to the above listed party by certified mail, return receipt requested (Receipt # 70123460000150282199) on February 10, 2015. I paid the witness \$ 25.00 for processing fees for witness and mileage fees.

- I served this subpoena by handing a copy to on I paid the witness \$ for witness and mileage fees.

[Signature] (Signature of Server)

Jeffrey J. Neslund

(Print Name)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

RECORDS DIVISION
19 FEB 15 17 53
JUDGE CLERK

6449

RIDER TO SUBPOENA
TO CHICAGO POLICE DEPARTMENT

Re: The Estate of LaQuan McDonald
Case No: 14 P 7092

The following is requested:

1. Copies of any and all reports, Tactical Response Reports (T.R.R.), Officer Battery Reports, Detective Supplementary Reports, General Progress Reports (G.P.R.), memorandum or any other documents regarding RD No. HX475653, Event No. 1429315878;
2. Copies of any and all dash-cam in-car camera (I.C.C.) video recordings recovered on October 21, 2014 from Beat 813(R), vehicle #8779 and Beat 845(R), vehicle #6412 under RD No. HX475653 (see attached); and
3. Copies of any and all photographs or crime scene video regarding RD No. HX475653, Event No. 1429315878 from October 20, 2014 and October 21, 2014.

CHICAGO POLICE DEPARTMENT
RECORDS DIV. HEADQUARTERS
19 FEB 15 17
53

From: Collins, Adam
Sent: Thursday, March 26, 2015 3:51 PM
To: Rountree, Janey;Rottner, Jennifer E.;Rasmas, Chloe
Cc: Maloney, Martin
Subject: Re: FOIA-Sending out at COB

same here

From: Rountree, Janey
Sent: Thursday, March 26, 2015 3:43 PM
To: Rottner, Jennifer E.; Collins, Adam; Rasmas, Chloe
Cc: Maloney, Martin
Subject: Re: FOIA-Sending out at COB

I'm good.

From: Rottner, Jennifer E. <Jennifer.Rottner@chicagopolice.org>
Sent: Thursday, March 26, 2015 2:53 PM
To: Rottner, Jennifer E.; Collins, Adam; Rountree, Janey; Rasmas, Chloe
Cc: Maloney, Martin
Subject: RE: FOIA-Sending out at COB

+Chloe

From: Rottner, Jennifer E.
Sent: Thursday, March 26, 2015 2:54 PM
To: 'Collins, Adam'; 'Rountree, Janey'; 'Hosinski, Catherine'
Cc: Maloney, Martin
Subject: FOIA-Sending out at COB

*This will be going out at the end of the day. Please let me know if there are any issues/concerns.

15-1209 (Jeremy Gerner-Chicago Tribune)

Requester is asking for all records pertaining to the October 20, 2014 death of Laquan McDonald, 17 DOB 9/24/97. CPD will be denying this request, as this is still an ongoing investigation (letter attached).

Jennifer Rottner
Assistant Director
Office of News Affairs
312-745-6110

This e-mail, and any attachments thereto, is intended only for use by the addressee(s) named herein and may contain legally privileged and/or confidential information. If you are not the intended recipient of this e-mail (or the person responsible for delivering this document to the intended recipient), you are hereby notified that any dissemination, distribution, printing or copying of this e-mail, and any attachment thereto, is strictly prohibited. If you have received this e-mail in error, please respond to the individual sending the message, and permanently delete the original and any copy of any e-mail and printout thereof.

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Cc: Maloney, Martin
Subject: Re: FOIA-Sending out at COB

same here

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Sent: Thursday, March 26, 2015 3:43 PM
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Sent: Thursday, March 26, 2015 2:53 PM
To: Rottner, Jennifer E.; Collins, Adam; Rountree, Janey; Rasmas, Chloe
Cc: Maloney, Martin
Subject: RE: FOIA-Sending out at COB

+Chloe

From: Rottner, Jennifer E.
Sent: Thursday, March 26, 2015 2:54 PM
To: 'Collins, Adam'; 'Rountree, Janey'; 'Hosinski, Catherine'
Cc: Maloney, Martin
Subject: FOIA-Sending out at COB

*This will be going out at the end of the day. Please let me know if there are any issues/concerns.

15-1209 (Jeremy Gerner-Chicago Tribune)

Requester is asking for all records pertaining to the October 20, 2014 death of Laquan McDonald, 17 DOB 9/24/97. CPD will be denying this request, as this is still an ongoing investigation (letter attached).

Jennifer Rottner
Assistant Director
Office of News Affairs
312-745-6110

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From: Collins, Adam
Sent: Thursday, March 26, 2015 6:29 PM
To: Rountree, Janey
Subject: Fw: Media List
Attachments: 26 March 2015.xls

Follow Up Flag: Follow up
Flag Status: Completed

From: Bunch, Lynn A. <Lynn.Bunch@chicagopolice.org>
Sent: Thursday, March 26, 2015 4:02 PM
To: Hagemann, Paul J.; Peters, Lynda; Schrader, Lisa; Mulaney, Carolyn; Collins, Adam; Breymaier, Shannon; Holden, John; Rasmus, Chloe; Schmeer, Paula C.; Maloney, Martin; Rottner, Jennifer E.; Hickey, James K.; Bazarek, William; Shear, Marvin J.; Price, Ralph M.; Williams, Eugene E.; Roussell, James M.; Harris, David G.; Corral, Mayda; Collins, Terrence J.; Winstrom, Eric W.; Sedevic, Mark T.; Lavery, Timothy A.; Quinn, Kelley
Subject: Media List

Attached is the Media List

P.O. Lynn A. Bunch #8023
Freedom of Information Officer
Unit 114- Legal Affairs
312-745-5308
HQ Ext. 8-4270

CONFIDENTIALITY NOTE:

This e-mail and any attachments are confidential and may be protected by legal privilege. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of this e-mail or any attachment is prohibited. If you have received this e-mail in error, please notify us immediately by returning it to the sender and delete this copy from your system. Thank you for your cooperation.

This e-mail, and any attachments thereto, is intended only for use by the addressee(s) named herein and may contain legally privileged and/or confidential information. If you are not the intended recipient of this e-mail (or the person responsible for delivering this document to the intended recipient), you are hereby notified that any dissemination, distribution, printing or copying of this e-mail, and any attachment thereto, is strictly prohibited. If you have received this e-mail in error, please respond to the individual sending the message, and permanently delete the original and any copy of any e-mail and printout thereof.

From: Collins, Adam
Sent: Friday, March 27, 2015 4:21 PM
To: Rountree, Janey
Subject: Fw: FOIA Media List
Attachments: Copy of 27 March 2015.xls

Follow Up Flag: Follow up
Flag Status: Completed

From: Maxson, Mark J. <Mark.Maxson@chicagopolice.org>
Sent: Friday, March 27, 2015 3:52 PM
To: Peters, Lynda; Schrader, Lisa; Mulaney, Carolyn; Collins, Adam; Breymaier, Shannon; Holden, John; Rasmus, Chloe; Gulliford, Wayne M.; Schmeer, Paula C.; Maloney, Martin; Rottner, Jennifer E.; Tracy, Robert; Hickey, James K.; Bazarek, William; Shear, Marvin J.; Price, Ralph M.; Williams, Eugene E.; Rivera, Juan J.; Roussell, James M.; Escalante, John J.; Harris, David G.; Corral, Mayda; Collins, Terrence J.; Winstrom, Eric W.; Sedevic, Mark T.; Lavery, Timothy A.; Quinn, Kelley; Hagemann, Paul J.
Cc: Wade, Landon J.; Bunch, Lynn A.
Subject: FOIA Media List

Attached is the CPD FOIA Media List.

Sgt. Mark Maxson

This e-mail, and any attachments thereto, is intended only for use by the addressee(s) named herein and may contain legally privileged and/or confidential information. If you are not the intended recipient of this e-mail (or the person responsible for delivering this document to the intended recipient), you are hereby notified that any dissemination, distribution, printing or copying of this e-mail, and any attachment thereto, is strictly prohibited. If you have received this e-mail in error, please respond to the individual sending the message, and permanently delete the original and any copy of any e-mail and printout thereof.

From: Platt, Thomas
Sent: Monday, March 30, 2015 5:39 PM
To: Goodmann, Daniel
Subject: Probate documents
Attachments: Probate File (2015, 03-12) 2.pdf

Attached is the probate file

Thomas J. Platt
Deputy Corporation Counsel
Federal Civil Rights Division
30 N. LaSalle Street, Suite 900
Chicago, Illinois 60602
312-744-4833

This e-mail, and any attachments thereto, is intended only for use by the addressee(s) named herein and may contain legally privileged and/or confidential information. If you are not the intended recipient of this e-mail (or the person responsible for delivering this document to the intended recipient), you are hereby notified that any dissemination, distribution, printing or copying of this e-mail, and any attachment thereto, is strictly prohibited. If you have received this e-mail in error, please respond to the individual sending the message, and permanently delete the original and any copy of any e-mail and printout thereof.

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Estate of

LAQUAN McDONALD

Deceased

No. 148 7092

AMENDED - PETITION FOR LETTERS OF ADMINISTRATION

TINA HUNTER

, states under the penalties of perjury:

1. LaQuan McDonald, whose place of residence at the time of death was
6824 S. Perry, Apt. 1E Chicago Cook IL 60621
(address) (city) (county) (state) (zip)
died October 20, 2014, at Chicago IL leaving no will.
(city) (state)

2. The approximate value of the estate in this state is:

Personal	Real	Annual Income From Real Estate
\$ <u>Cause of Action for Wrongful Death</u>	\$ <u>-0-</u>	\$ <u>-0-</u>

3. The names and post-office addresses of decedent's heirs are set forth on Exhibit A and made a part of this petition. (Indicate the relationship and whether an heir is a minor or disabled person.)
4. The names and post-office addresses of persons who are entitled to nominate and/or administer in preference to (P) or equally with (E) petitioner are set forth on Exhibit A of this petition. If none, so state:
Equal
5. Petitioner is a natural mother of decedent and is legally qualified to act (or to nominate a resident of Illinois to act) as administrator.
- *6 The name and post-office address of the personal fiduciary designated to act during independent administration for each heir, who is a minor or disabled person, are shown on Exhibit A of this petition.

Petitioner asks that Letters of Administration issue to the following person(s), qualified and willing to act:

Name	Post-Office Address
TINA HUNTER	1415 S. Central Park, Unit 1A, Chicago, IL 60623

Atty. No. 11228
Atty. Name: Edward Y. Lau
Firm Name: Law Office of Edward Y. Lau
Address: 30 N. LaSalle St., #3200
City/State/Zip: Chicago, IL 60602
Telephone: (312) 346-1155

Tina Hunter
Petitioner
Address: [REDACTED]
City/State/Zip: [REDACTED]
Telephone: [REDACTED]
Atty. Certification Edward Y. Lau

If a consul or consular agent is to be notified, name country: n/a

*If supervised administration is requested, so state and strike Paragraph 6.

ESTATE OF LeQuan McDonald

Deceased,

EXHIBIT A

3. HEIRS:

- a. Tina Hunter - mother
1415 S. Central Park, Unit 1A
Chicago, IL 60623
- b. Joseph Weaks - father
772 Four Seasons Blvd.
Aurora, IL 60504
- c. [REDACTED] - sister - minor (age 14)
[REDACTED]

4.

- a. Joseph Weaks - father - (E)
772 Four Seasons Blvd.
Aurora, IL 60504

6. FIDUCIARY:

Debra Dyer-Webster
DCFS Guardian
Legal Guardian of [REDACTED]
17 N. State Street, 7th Floor
Chicago, IL 60602

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

3303

ESTATE OF LaQUAN McDONALD, deceased

v.

a/k/a LeQuan McDonald

No. 14 P 7092

NOTICE OF MOTION

To: See attached Service List



On February 23, 2015, at 10 a.m. a.m. or as soon thereafter as counsel may be heard, I shall appear before the Honorable Judge Presiding or any Judge sitting in that Judge's stead, in the courtroom usually occupied by him/her, located at Courtroom 1801, Richard J. Daley Center, Chicago, IL the attached Amended Petition For Letters of Administration, Illinois, and present

Name Edward Y. Lau

Atty. No. 11228

Pro Se 99500

Address 30 N. LaSalle St., #3200

Attorney for Petitioner - Tina Hunter

City/State/Zip Chicago, IL, 60602

Telephone (312) 346-1155

PROOF OF SERVICE BY DELIVERY

I, _____, the attorney non-attorney certify that on the _____ day of _____, I served this notice by delivering a copy personally to each person to whom it is directed.

Date _____

Signature/Certification

PROOF OF SERVICE BY MAIL

I, Edward Y. Lau, the attorney non-attorney certify that I served this notice by mailing a copy to each person on the Service List at their respective address and depositing the same in the U.S. Mail at 30 N. LaSalle St., Chicago, IL 60602 (address on envelope) at 4 p.m. a.m. p.m. on the 23 day of January, 2015, with proper postage prepaid.

Date January 23, 2015

Signature/Certification

PROOF OF ELECTRONIC SERVICE (WHERE PERMISSIBLE)

I, _____, the attorney non-attorney certify that on the _____ day of _____, I served this notice electronically via the Clerk's Office E-filing system, or by telefax transmission (_____ pages) with consent of the recipient where permissible under Ill. Sup Ct. R.11, at fax no. _____ at _____ a.m./p.m., from _____ (Place)

Date _____

Signature/Certification

NOTE: If more than one person is served by delivery or mail, additional proof of service may be made by attaching an additional sheet to this Notice of Motion.

SERVICE LIST

Mr. Joseph Weaks
772 Four Seasons Blvd.
Aurora, IL 60504

Ms. Debra Dyer-Webster
as Legal Guardian of [REDACTED], a minor
IL Department of Children and Family Services
17 N. State Street, 7th Floor
Chicago, IL 60602

08

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - PROBATE DIVISION

ESTATE OF:

LaQuan McDonald, a/k/a
LeQuan McDonald

Deceased.

)
)
) NO. 14 P 7092
)
)

FILED
PB - 1
FEB - 6 2015
DOROTHY M. ...
CLERK OF THE CIRCUIT COURT
OF COOK COUNTY

AFFIDAVIT OF HEIRSHIP

I, TINA HUNTER, being first duly sworn, on oath states:

1. The decedent, LeQuauan McDonald, died at Chicago, Illinois on October 20, 2014, at the age of 17 years.

2. I am of legal age. I reside at 1415 S. Central Park, Unit 1A, Chicago, IL 60623. I am the natural mother of the decedent and have personal knowledge of the decedent's heirship.

3. The decedent was never married.

4. The decedent had no children born by him and no children were adopted by him during his life.

5. No child born by the decedent predeceased the decedent.

6. The Decedent's father is Joseph Weaks.

7. The Decedent's biological mother and father were never married.

8. The two children born by the Decedent's mother during her life were as follows:

a. LeQuan McDonald - Decedent

b. [REDACTED] - minor (age 14)

[REDACTED] 3
[REDACTED]

The Decedent's mother adopted no children during her life.

9. The two children born by the Decedent's father during his life were as follows:

a. LeQuan McDonald - Decedent

b. [REDACTED] - minor (age 14)

The Decedent's father adopted no children during his life.

7. Based on the foregoing, the decedent left surviving as his only heirs the following persons, who survived the Decedent:

a. Tina Hunter - Mother

1415 S. Central Park, Unit 1A
Chicago, IL 60623

b. Joseph Weaks - Father

772 Four Seasons Blvd.
Aurora, IL 60504

c. [REDACTED] - sister - minor (age 14)

I, Tina Hunter certify under oath that the foregoing allegations are true and correct and based on my personal knowledge.

Tina Hunter
Tina Hunter

EDWARD Y. LAU - #11228
Attorney for Tina Hunter
30 N. LaSalle St.
Suite 3200
Chicago, IL 60602
(312) 346-1155

Subscribed and sworn to before me this 12th
day of December, 2014.

Laura Coronado
Notary Public



IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Estate of

LAQUAN McDONALD

a/k/a LeQuan McDonald

Deceased

No. 14 P 7092

FILED
PB-1801
FEB - 6 2015
DOROTHY BROWN
CLERK OF THE CIRCUIT COURT
OF COOK COUNTY, IL

AMENDED - PETITION FOR LETTERS OF ADMINISTRATION

TINA HUNTER

1. LaQuan McDonald, a/k/a LeQuan McDonald, states under penalty of perjury:
whose place of residence at the time of death was
6824 S. Perry, Apt. 1E Chicago Cook IL 60621
(address) (city) (county) (state) (zip)
died October 20, 2014, at Chicago IL leaving no will.
(city) (state)

2. The approximate value of the estate in this state is:

Personal Real Annual Income From Real Estate
\$ Cause of Action for Wrongful Death \$ -0- \$ -0-

3. The names and post-office addresses of decedent's heirs are set forth on Exhibit A and made a part of this petition. (Indicate the relationship and whether an heir is a minor or disabled person.)

4. The names and post-office addresses of persons who are entitled to nominate and/or administer in preference to (P) or equally with (E) petitioner are set forth on Exhibit A of this petition. If none, so state:
Equal

5. Petitioner is a natural mother of decedent and is legally qualified to act (or to nominate a resident of Illinois to act) as administrator.

*6 The name and post-office address of the personal fiduciary designated to act during independent administration for each heir, who is a minor or disabled person, are shown on Exhibit A of this petition.

Petitioner asks that Letters of Administration issue to the following person(s), qualified and willing to act:

Name Post-Office Address
TINA HUNTER 1415 S. Central Park, Unit 1A, Chicago, IL 60623

Atty. No. 11228

Atty. Name: Edward Y. Lau

Firm Name: Law Office of Edward Y. Lau

Address: 30 N. LaSalle St., #3200

City/State/Zip: Chicago, IL 60602

Telephone: (312) 346-1155

Tina Hunter

Petitioner

Address: 1415 S. Central Park, #1A

City/State/Zip: Chicago, IL 60623

Telephone: 872-444-1021

Atty. Certification

Edward Y. Lau

If a consul or consular agent is to be notified, name country: n/a

*If supervised administration is requested, so state and strike Paragraph 6.

ESTATE OF LeQuan McDonald

Deceased,

EXHIBIT A

3. HEIRS:

- a. Tina Hunter - mother
1415 S. Central Park, Unit 1A
Chicago, IL 60623
- b. Joseph Weaks - father
772 Four Seasons Blvd.
Aurora, IL 60504
- c. [REDACTED] - sister - minor (age 14)
[REDACTED]
[REDACTED]

4.

- a. Joseph Weaks - father - (E)
772 Four Seasons Blvd.
Aurora, IL 60504

6. FIDUCIARY:

Debra Dyer-Webster
DCFS Guardian
Legal Guardian of [REDACTED]
17 N. State Street, 7th Floor
Chicago, IL 60602

08

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT-PROBATE DIVISION

Estate of

LaQuan McDonald

Deceased

No. 14 P 7092

4103

ORDER DECLARING HEIRSHIP

After considering evidence concerning heirship, the court declares that the following are the only heirs of the decedent:

1. Tina Hunter - Mother
1415 S. Central Park, Unit 1A
Chicago, IL 60623

2. Joseph Weaks - Father
772 Four Seasons Blvd.
Aurora, IL 60504

3. [Redacted], a minor - Sister
c/o: Ms. Debra Dyer-Webster, as Legal Guardian of [Redacted]
IL Department of Children and Family Services
17 N. State Street, 7th Floor
Chicago, IL 60602

ENTER:

Susan Coleman 1747
Judge Judge's No.

Atty. No. 11228

Atty. Name: Edward Y. Lau

Firm Name: Law Office of Edward Y. Lau

Address: 30 N. LaSalle St., #3200

City/Zip: Chicago, IL 60602

Telephone: 312-346-1155

ENTERED

FEB 23 2015

Assoc. Judge Susan Coleman 1747

08

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - PROBATE DIVISION

Estate of

No. 14 P 7092

LaQuan McDonald

4159

OATH AND BOND OF REPRESENTATIVE - SURETY

I, TINA HUNTER, on oath state that I will faithfully discharge the duties of the office of representative. I and the undersigned sureties jointly and severally bind ourselves to the People of the State of Illinois to the faithful discharge of those duties.

The obligation of this bond is limited to \$ 1,500.00.

APPROVED:

[Signature]
Judge
1747
Judge's No.

[Signature]
as Representative and Principal
Address 1415 S. Central Park, #1A
Chicago, IL 60623

*
as surety
Address Ohio Casualty
By [Signature]
Attorney in fact or Agent

ENTERED
FEB 23 2015

Assoc. Judge Susan Coleman 1747

*
as surety
Address _____

Atty. No.: 11223
Name: Edward Y. Lau
Firm Name: Law Office of Edward Y. Lau
Atty. for Representative: Tina Hunter
Address: 30 N. LaSalle St., #3200
City/State/Zip: Chicago, IL 60602
Telephone: (312) 346-1155



Signed and sworn to before me by the representative on
November 20, 2014
[Signature]
(Clerk of Circuit Court) (Notary Public)

*First name of principal must be written in full.

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Wife of LeQuon
McDonald

No. 14 P 7092

ORDER

This cause coming to be heard on the Petition for Letters, and the Court being advised in the Premises, It is Herely Ordered:

6315

This matter is entered and continued to February 23, 2015 at 10AM

Atty. No.: 11228

Name: Edward Y. LAU

ENTERED:

Atty. for: Petitioner

ENTERED

Address: 30 N. LaSalle, #3200

Dated: FEB -6 2015

City/State/Zip: Chicago, IL 60602

Assoc. Judge Susan Solomon 1747

Telephone: (312) 346-1155

Judge

Judge's No.

1747

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, PROBATE DIVISION

In re the Estate of

LaQuan McDonald

No.

2014P007092
CALENDAR/ROOM 08
TIME 00:00
Dec Est/Int/Ind Adm

PROBATE DIVISION COVER SHEET

A Probate Division Cover Sheet shall be filed with the initial petition in all actions filed in the Probate Division. The information contained herein is for clerical purposes only. Please check the box in front of the appropriate category which best characterizes your action being filed.

Guardianship for Disabled Person

- 0001 Person
0002 Estate
0003 Estate and Person
0019 Elder Abuse

Guardianship for Minor

- 0011 Person
0012 Estate
0013 Estate and Person

Probate of Decedent's Estate - Intestate

- 0004 Supervised Administration
0005 Independent Administration
0014 Summary Administration
0006 Letters of Administration to Collect
0018 Miscellaneous Probate Action (Decedent)

Probate of Decedent's Estate - Will

- 0007 Supervised Executor
0008 Independent Executor
0015 Summary Executor
0009 Will Annexed - Supervised Administration
0010 Will Annexed - Independent Administration

Other

- 0016 Sell or Transfer Structured Settlement

By:

Atty. No.: 11228 Pro Se 99500

Name: Edward Y. Lau

Atty. for: Petitioner - Tina Hunter

Address: 30 N. LaSalle St., #3200

City/State/Zip Code: Chicago, IL 60602

Telephone: 9312) 346-1155

Service via email will be accepted at:

by consent pursuant to Ill. Sup. Court Rules 11 and 131.

FILED
14 NOV 20 PM 1:41
DOROTHY BROWN
CLERK OF THE CIRCUIT COURT
OF COOK COUNTY, IL

From: Collins, Adam
Sent: Tuesday, March 31, 2015 2:12 PM
To: Rottner, Jennifer E.;Rountree, Janey;Rasmas, Chloe
Cc: Maloney, Martin
Subject: Re: FOIA-COB Today

thanks

From: Rottner, Jennifer E. <Jennifer.Rottner@chicagopolice.org>
Sent: Tuesday, March 31, 2015 12:40 PM
To: Rountree, Janey; Collins, Adam; Rasmas, Chloe
Cc: Maloney, Martin
Subject: FOIA-COB Today

This will go out at COB today. It will be a denial letter that we have sent out previously to many media outlets. Let me know if there are any issues/concerns.

Thanks!

15-1433 (Gaynor Hall-WGN)

Requesting access or copies of any police video related to the shooting of Laquan McDonald on Oct 20, 2014 near the 1400 block of South Pulaski Road (see denial letter attached).

Jennifer Rottner
Assistant Director
Office of News Affairs
312-745-6110

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From: Platt, Thomas
Sent: Tuesday, March 31, 2015 2:59 PM
To: Goodmann, Daniel
Subject: Letters of office and order apptg executor
Attachments: ORDER APPOINTING.pdf; LETTERS OF OFFICE.pdf

Thomas J. Platt
Deputy Corporation Counsel
Federal Civil Rights Division
30 N. LaSalle Street, Suite 900
Chicago, Illinois 60602
312-744-4833

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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, PROBATE DIVISION

Estate of
LaQuan McDONALD

} No. 2014 P 007092
Docket
Deceased } Page

LETTERS OF OFFICE - DECEDENT'S ESTATE

TINA HUNTER has been appointed
Independent Administrator of the estate of
LaQuan McDONALD, deceased,
who died Monday, October 20, 2014, and is authorized to take possession of and collect the
estate of the decedent and to do all acts required by law.

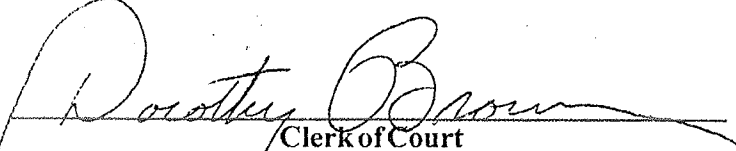


WITNESS, February 23, 2015
Dorothy Brown
Clerk of the Circuit Court

CERTIFICATE

I certify that this is a copy of the letters of office now in force in this estate.

DLB

WITNESS, February 23, 2015

Clerk of Court

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - PROBATE DIVISION

ESTATE OF

LaQuan McDonald

Deceased

No. 14 P 7092

ORDER APPOINTING REPRESENTATIVE OF DECEDENT'S ESTATE - INTESTATE

On the verified petition of Tina Hunter
for issuance of letters of office,

IT IS ORDERED that:

1. Letters of office as Independent Administrator

- 4232 (supervised administrator)
- 4249 (supervised administrator to collect)
- 4237 (supervised administrator de bonis non)
- 4227 (supervised co-administrators)
- 4248 (independent administrator to collect)
- 4230 (independent administrator)
- 4236 (independent administrator de bonis non)
- 4231 (independent co-administrators)

issue to TINA HUNTER

2. This matter is set for case Status on April 22 2016 at 10 a.m.

ENTERED

FEB 23 2015

Assoc. Judge Susan Coleman 1747

Atty. No.: 11228
 Name: Edward Y. Lau
 Firm Name: Law Office of Edward Y. Lau
 Atty. for Representative: Tina Hunter
 Address: 30 N. LaSalle St., #3200
 City/State/Zip: Chicago, IL 60602
 Telephone: 9312) 346-1155

Judge

Judge's No.

*Strike if not applicable

From: Rottner, Jennifer E. <Jennifer.Rottner@chicagopolice.org>
Sent: Tuesday, March 31, 2015 4:29 PM
To: Rountree, Janey;Collins, Adam;Rasmas, Chloe
Cc: Maloney, Martin
Subject: RE: FOIA-COB Today
Attachments: 15-1672 - Novak, Sun-Times - IAD - All Cases Currently Under Investigation.doc

Follow Up Flag: Follow up
Flag Status: Completed

This is being sent to OLA for approval. It will be a denial letter (see attached).

15-1672 (Tim Novak-Sun Times)

Requester is asking for all cases under investigation by IAD.

From: Rottner, Jennifer E.
Sent: Tuesday, March 31, 2015 12:41 PM
To: 'Rountree, Janey'; Collins, Adam; 'Rasmas, Chloe'
Cc: Maloney, Martin
Subject: FOIA-COB Today

This will go out at COB today. It will be a denial letter that we have sent out previously to many media outlets. Let me know if there are any issues/concerns.

Thanks!

15-1433 (Gaynor Hall-WGN)

Requesting access or copies of any police video related to the shooting of Laquan McDonald on Oct 20, 2014 near the 1400 block of South Pulaski Road (see denial letter attached).

Jennifer Rottner
Assistant Director
Office of News Affairs
312-745-6110

From: Platt, Thomas
Sent: Wednesday, April 01, 2015 8:34 AM
To: Laura Coronado
Cc: Michael Robbins;neslundlaw
Subject: RE: McDonald - Probate documents
Attachments: Release form.pdf

Dear Mike Robbins:

Attached is the Release and Settlement agreement.

From: Laura Coronado [<mailto:lcoronado@lawmdr.com>]
Sent: Tuesday, March 31, 2015 2:40 PM
To: Platt, Thomas
Cc: Michael Robbins; neslundlaw
Subject: McDonald - Probate documents

Dear Mr. Platt,

Attached please find the Order Appointing Representative as well as the Letters of Office.

Thank you,

Laura Coronado
Assistant to Michael D. Robbins
Michael D. Robbins & Associates
20 North Wacker Drive, Suite 3710
Chicago, IL 60606
(312) 899-8000
Fax: (312) 781-9123
lcoronado@lawmdr.com
www.lawmdr.com

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From: Platt, Thomas
Sent: Wednesday, April 01, 2015 9:26 AM
To: Darling, Leslie;Dominguez, Patricia
Subject: finance memo, McDonald
Attachments: McDonald LaQuan council_Memo.doc

Thomas J. Platt
Deputy Corporation Counsel
Federal Civil Rights Division
30 N. LaSalle Street, Suite 900
Chicago, Illinois 60602
312-744-4833

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From: Goodman, Daniel <DGoodmann@mesirowfinancial.com>
Sent: Wednesday, April 01, 2015 4:53 PM
To: Platt, Thomas
Subject: RE: Probate documents

Thanks.

Daniel J. Goodman, CSSC
Managing Director - Structured Settlements Mesirow Financial
353 North Clark Street
Chicago, IL 60654
(312) 595-7055 - Direct Line
(877) 772-4436 - Toll Free
(312) 595-6736 - Desktop Fax
(312) 595-4440 - Office Fax
(312) 543-1834 - iPhone
dgoodmann@mesirowfinancial.com

-----Original Message-----

From: Platt, Thomas [mailto:Thomas.Platt@cityofchicago.org]
Sent: Wednesday, April 01, 2015 4:52 PM
To: Goodman, Daniel
Subject: RE: Probate documents

Should be able to do so.

-----Original Message-----

From: Goodman, Daniel [mailto:DGoodmann@mesirowfinancial.com]
Sent: Wednesday, April 01, 2015 4:07 PM
To: Platt, Thomas
Cc: Real, Elizabeth
Subject: RE: Probate documents
Importance: High

If possible, I believe the following language should be added to paragraph 6 of your document;

The Estate of LaQuan McDonald may structure a portion of the above amount for the benefit of [REDACTED], a minor, and Tina Hunter. The structured settlement funds shall comply with IRC Sec. 104 (a)(2) and IRC Sec. 130 (c). An addendum to this Release and Settlement Agreement shall be executed by all parties and the City of Chicago agrees to fund the structured settlement portion(s) as necessary to comply with the above IRC sections by way of a "qualified assignment and release". Any such assignment, if made, shall be accepted by the the Estate of LaQuan McDonald without right of rejection and shall completely release and discharge the City of Chicago from the Periodic Payments obligation assigned to the Assignee. The Estate of LaQuan McDonald recognizes that, in the event of such an assignment, the Assignee shall be the sole obligor with respect to the Periodic Payments obligation, and that all other releases with respect to the Periodic Payments obligation that pertain to the liability of the City of Chicago shall

thereupon become final, irrevocable and absolute. All sums set forth herein constitute damages on account of personal physical injuries or sickness, within the meaning of Section 104(a)(2) of the Internal Revenue Code of 1986, as amended.

Daniel J. Goodman, CSSC
Managing Director - Structured Settlements Mesirow Financial
353 North Clark Street
Chicago, IL 60654
(312) 595-7055 - Direct Line
(877) 772-4436 - Toll Free
(312) 595-6736 - Desktop Fax
(312) 595-4440 - Office Fax
(312) 543-1834 - iPhone
dgoodmann@mesirofinancial.com

-----Original Message-----

From: Platt, Thomas [mailto:Thomas.Platt@cityofchicago.org]
Sent: Wednesday, April 01, 2015 3:43 PM
To: Goodman, Daniel
Subject: RE: Probate documents

I attached a draft release. Plaintiff is seeking to change some of the terms.

-----Original Message-----

From: Goodman, Daniel [mailto:DGoodmann@mesirofinancial.com]
Sent: Wednesday, April 01, 2015 2:11 PM
To: Platt, Thomas
Subject: RE: Probate documents

Tom:

Did you happen to have a draft release done on this yet? This is the addendum language I would need to fill in once we have a plan in place. Thoughts?

Dan

Daniel J. Goodman, CSSC
Managing Director - Structured Settlements Mesirow Financial
353 North Clark Street
Chicago, IL 60654
(312) 595-7055 - Direct Line
(877) 772-4436 - Toll Free
(312) 595-6736 - Desktop Fax
(312) 595-4440 - Office Fax
(312) 543-1834 - iPhone
dgoodmann@mesirofinancial.com

-----Original Message-----

From: Platt, Thomas [mailto:Thomas.Platt@cityofchicago.org]

Sent: Tuesday, March 31, 2015 7:54 AM

To: Goodmann, Daniel

Subject: Re: Probate documents

Hope to send it later today.

From: Goodmann, Daniel <DGoodmann@mesirowfinancial.com>

Sent: Monday, March 30, 2015 6:43:45 PM

To: Platt, Thomas

Subject: Re: Probate documents

Whenever possible, send my your release template and I'll insert the language needed. Thanks.

Daniel J Goodmann

Managing Director

(312) 595-7055 Office

(312) 543-1834 Cell

Sent from my iPhone

> On Mar 30, 2015, at 5:38 PM, Platt, Thomas <Thomas.Platt@cityofchicago.org> wrote:

>

> Attached is the probate file

>

> Thomas J. Platt

> Deputy Corporation Counsel

> Federal Civil Rights Division

> 30 N. LaSalle Street, Suite 900

> Chicago, Illinois 60602

> 312-744-4833

>

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> <Probate File (2015, 03-12) 2.pdf>

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From: Merritt, Larry <larry.merritt@iprachicago.org>
Sent: Thursday, April 02, 2015 10:03 AM
To: Rountree, Janey;Hirsch, Steven;Collins, Adam;Ando, Scott
Subject: RE: Information about IPRA Case Outcomes.doc
Attachments: Information about IPRA Case Outcomes (4) LM.doc

Follow Up Flag: Follow up
Flag Status: Completed

[Here you go.](#)

From: Rountree, Janey [mailto:Janey.Rountree@cityofchicago.org]
Sent: Thursday, April 02, 2015 9:52 AM
To: Hirsch, Steven; Collins, Adam; Ando, Scott; Merritt, Larry
Subject: RE: Information about IPRA Case Outcomes.doc

Thanks Steve

From: Hirsch, Steven [mailto:steven.hirsch@iprachicago.org]
Sent: Thursday, April 02, 2015 9:12 AM
To: Collins, Adam; Rountree, Janey; Ando, Scott; Merritt, Larry
Subject: FW: Information about IPRA Case Outcomes.doc

I apologize the previous email was sent prematurely and contains errors. The below copy corrected same.

From: Hirsch, Steven
Sent: Thursday, April 02, 2015 9:04 AM
To: Collins, Adam; Rountree, Janey; Ando, Scott; Merritt, Larry
Cc: Henry, Vance
Subject: RE: Information about IPRA Case Outcomes.doc

Corrected Version [Steven Hirsch]

Adam:

I just want to update everyone on Larry and my recent conversation with you, as I know time is of the essence in getting this out. Based upon our discussion, you now understand how the numbers do add up correctly. However, based upon your excellent suggestion, we will slightly modify the narrative accompanying the statistics, so the reader will better understand that front end number, based upon a calendar year compilation, cannot be compared with back end closed investigations that may transcend multiple years.

We should have this to you very shortly.

Thanks,

Steve

From: Collins, Adam [<mailto:Adam.Collins@cityofchicago.org>]
Sent: Wednesday, April 01, 2015 10:09 PM
To: Rountree, Janey; Ando, Scott; Merritt, Larry; Hirsch, Steven
Cc: Henry, Vance
Subject: Re: Information about IPRA Case Outcomes.doc

I took a look through this, and think it's really good. I made some small tweaks on the first page.

I do have a question about the data on the last page, because it doesn't add up - or maybe I'm reading it wrong

Right now I read it as:

6,257 (total complaints) = 1,667 (retained by IPRA) + 4,590 (transferred to CPD(+ 464 (w/o affidavit) + 384 (for Taser discharge)

First, those numbers don't add up

Then later it says 918 was the number with an affidavit investigated by IPRA, but I don't understand where the 918 figures comes from out of the above data points.

From: Rountree, Janey
Sent: Wednesday, April 1, 2015 4:42 PM
To: Ando, Scott; Merritt, Larry; Hirsch, Steven
Cc: Collins, Adam; Henry, Vance
Subject: RE: Information about IPRA Case Outcomes.doc

I'm good with these changes. Adam, do you want to read before I send to the Community Renewal Society? I'll likely hold until tomorrow.

Janey

From: Ando, Scott [<mailto:Scott.Ando@iprachicago.org>]
Sent: Wednesday, April 01, 2015 4:13 PM
To: Rountree, Janey; Merritt, Larry; Hirsch, Steven
Cc: Collins, Adam; Henry, Vance
Subject: RE: Information about IPRA Case Outcomes.doc

Here you go. You'll see the answers and additions we made via track changes.

Scott M. Ando

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From: Rountree, Janey [<mailto:Janey.Rountree@cityofchicago.org>]
Sent: Wednesday, April 01, 2015 3:35 PM

To: Merritt, Larry; Hirsch, Steven; Ando, Scott
Cc: Collins, Adam; Henry, Vance
Subject: Re: Information about IPRA Case Outcomes.doc

Scott, Steve and Larry - just checking to make sure you got this note earlier today.
Thanks

From: Rountree, Janey
Sent: Wednesday, April 1, 2015 11:51:41 AM
To: 'larry.merritt@iprachicago.org'; Hirsch, Steven; Ando, Scott
Cc: Adam Collins (adam.collins@cityofchicago.org); Henry, Vance (Vance.Henry@chicagopolice.org)
Subject: Information about IPRA Case Outcomes.doc

Hi all,

Last week the Community Renewal Society protested at city hall, and as a result, we agreed to a meeting with the Mayor on Saturday morning at 9 am. It should be on Scott and Larry's calendar. Even though they met with you before, they continue to push the 2% sustain rate and are now also arguing that IPRA should investigate cases where no affidavit was signed. I agreed to send them some data on the sustain rate in advance of the meeting. Will you carefully review the fact sheet attached here and fill in the few data holes? This is mostly comprised of statements we've made before, though I had to change the format and context since we're not answering specific press questions. I'd like to get them something by tomorrow morning.

Also, I have some edits from the law dept to the FAQ/Ando letter doc. I will get you the final later today.

Thanks

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From: Breymaier, Shannon
Sent: Friday, April 03, 2015 11:33 AM
To: Higgins, Jessica
Cc: Quinn, Kelley
Subject: Planning doc
Attachments: planning doc upcoming stories 4.8 thru 6.1.15.doc

Jess –
Here's what we've got so far – I'll send more if and when we get anything else.
Thanks!
Shannon

Shannon Breymaier
O: 312-744-9045 C: [REDACTED]
Shannon.Breymaier@cityofchicago.org

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From: Collins, Adam
Sent: Friday, April 03, 2015 10:29 AM
To: Breymaier, Shannon;Quinn, Kelley;Cooper, Tarrah
Subject: Re: planning document
Attachments: planning doc upcoming stories 4.8 thru 6.1.15 ac.doc

See attached

From: Breymaier, Shannon
Sent: Thursday, April 2, 2015 10:10 PM
To: Collins, Adam; Quinn, Kelley; Cooper, Tarrah
Subject: Re: planning document

Can you please look at the doc and let me know what needs to be added? I have many of these included already. And also include possible dates, even if fuzzy?
Thanks.

From: Collins, Adam
Sent: Thursday, April 2, 2015 10:05:48 PM
To: Breymaier, Shannon; Quinn, Kelley; Cooper, Tarrah
Subject: Re: planning document

Theses are FOIAs and beyond

- CPD: ST/Frank Main: Access to counsel
- CPD: WBEZ/Susie An, Chicago Reader/Jonah Newman: Hom Sq
- CPD: CT/Jeremy Gorner: Police discipline
- CPD: WBEZ/Patrick Smith: Criminal registration
- CPD: Several: McDonald
- CPD: Chicago Reader/Ade Emmanuel: Mental health response
- CPD: CT/Steve Schmadeke: Kevin Fry
- CPD: Chicago Magazine/David Bernstein: Garry
- CPD/CPS: Catalyst/Sarah Karp: Crime/arrests in schools
- CPD: ST/Tim Novak: Guevara/Koschman
- ST/Tim Novak: People's Gas
- ST/Tim Novak: Navy Pier concessionaire
- CPD: Contact cards
- CFD: Test results

POSSIBLE

- CPD: CT/Jeremy Gorner, WBEZ/Katie O'Brien: Police deployment

From: Breymaier, Shannon
Sent: Thursday, April 2, 2015 6:09 PM
To: Quinn, Kelley; Cooper, Tarrah; Collins, Adam
Subject: planning document

Here is my first stab at our planning document – please take a look and see if there is anything in here that needs to be tweaked (Adam, please take a close look at the CPD FOIA stuff). Additionally, I’m happy to incorporate anything else you all have – send it on over and I can add it.

Thanks,
Shannon

Shannon Breymaier

O: 312-744-9045 C: [REDACTED]

Shannon.Breymaier@cityofchicago.org

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From: Fischler, Matt
Sent: Friday, April 03, 2015 5:31 PM
To: Rountree, Janey
Subject: Re: Public Safety April and May.doc
Attachments: Public Safety April and May (mf edits).doc

additional items in the attached

From: Rountree, Janey
Sent: Friday, April 3, 2015 5:14 PM
To: Fischler, Matt
Subject: Public Safety April and May.doc

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From: Rountree, Janey
Sent: Friday, April 03, 2015 6:09 PM
To: Adam Collins (adam.collins@cityofchicago.org)
Subject: FW: Public Safety April and Mayv2.doc
Attachments: Public Safety April and Mayv2.doc

Follow Up Flag: Follow up
Flag Status: Completed

[Meant to copy you on this](#)

From: Rountree, Janey
Sent: Friday, April 03, 2015 5:36 PM
To: Higgins, Jessica
Subject: Public Safety April and Mayv2.doc

From: Darling, Leslie
Sent: Monday, April 06, 2015 12:29 PM
To: Dominguez, Patricia
Subject: FW: McDonald revised finance memo
Attachments: McDonald LaQuan council_Memo.doc

From: Platt, Thomas
Sent: Thursday, April 02, 2015 9:02 PM
To: Darling, Leslie
Cc: Dominguez, Patricia
Subject: McDonald revised finance memo

Dear Leslie,

Thomas Platt, Deputy
Federal Civil Rights Division
30 N. LaSalle Street, Suite 900
Chicago, Illinois 60602
312-744-4833

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From: Platt, Thomas
Sent: Tuesday, April 07, 2015 8:14 AM
To: Michael Robbins
Subject: Re: McDonald Agreement

I will call you today. However, we discuss maintaining confidentiality of the video after council approval. If you have alternative language which complies with our understanding, please forward. I will inquire about par 7. Par 8 can be changed. Please note that Goodman has since sent me a par he wants included. I have to insist on 9.

From: Michael Robbins <mdrobbins@lawmdr.com>
Sent: Monday, April 6, 2015 7:28:25 PM
To: Platt, Thomas
Cc: neslundlaw
Subject: McDonald Agreement

Tom,

We have met with the family and reviewed the draft release and settlement agreement.

We have the following issues and concerns:

Paragraph 5; Confidentiality

As we indicated when we met, we have no problem maintaining the confidentiality of the fact and terms of a settlement, until it is presented to the City Council.

We do not agree however, and would not acknowledge that the disclosure of the video would have an adverse impact on the criminal investigation or any potential charges that may be brought. The provision as drafted, that we maintain the confidentiality of the materials - principally the dash cam-video - until the criminal charges are *concluded*, which could be in effect for years; is entirely unreasonable. Nor was any such broad sweeping confidentiality provision discussed during our meetings.

Additionally, the imposition of such an overly broad confidentiality provision would very likely create a taxable event, which the Estate is unwilling to incur.

2. Paragraph 7. Must specify that the settlement will be presented April 15, 2015, as agreed upon.

3. Paragraph 8. The settlement check must be made payable to the Estate of LaQaun McDonald and its attorneys. There are no lien holders, and any entity designated by Estate to process a structured settlement would need to be approved by the probate court, and cannot be a payee on the settlement check.

4. Paragraph 9. The Estate is unwilling to indemnify the City against the undefined, open-ended, claims, losses, fees etc. referenced in this paragraph.

Please call me tomorrow.

Mike

Michael D. Robbins
Michael D. Robbins & Associates
20 North Wacker Dr.
Suite 3710
Chicago, IL 60606
312/899-8000

mdrobbins@lawmdr.com

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From: Holden, John
Sent: Tuesday, April 07, 2015 9:36 AM
To: Platt, Thomas
Cc: Darling, Leslie
Subject: FW: LM TPs
Attachments: McDonald LaQuan Talking Points.doc

From: Holden, John
Sent: Friday, April 03, 2015 5:53 PM
To: Darling, Leslie
Subject: LM TPs

Hi Leslie –

Have a good holiday.

John

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From: Platt, Thomas
Sent: Tuesday, April 07, 2015 5:11 PM
To: neslundlaw@yahoo.com
Subject: Goodman's propose addition for release

See his note below. Let me know if this is objectionable. I have a call into him now.

-----Original Message-----

From: Goodmann, Daniel [mailto:DGoodmann@mesirowfinancial.com]
Sent: Wednesday, April 01, 2015 4:07 PM
To: Platt, Thomas
Cc: Real, Elizabeth
Subject: RE: Probate documents
Importance: High

If possible, I believe the following language should be added to paragraph 6 of your document;

The Estate of LaQuan McDonald may structure a portion of the above amount for the benefit of [REDACTED], a minor, and Tina Hunter. The structured settlement funds shall comply with IRC Sec. 104 (a)(2) and IRC Sec. 130 (c). An addendum to this Release and Settlement Agreement shall be executed by all parties and the City of Chicago agrees to fund the structured settlement portion(s) as necessary to comply with the above IRC sections by way of a "qualified assignment and release". Any such assignment, if made, shall be accepted by the the Estate of LaQuan McDonald without right of rejection and shall completely release and discharge the City of Chicago from the Periodic Payments obligation assigned to the Assignee. The Estate of LaQuan McDonald recognizes that, in the event of such an assignment, the Assignee shall be the sole obligor with respect to the Periodic Payments obligation, and that all other releases with respect to the Periodic Payments obligation that pertain to the liability of the City of Chicago shall thereupon become final, irrevocable and absolute. All sums set forth herein constitute damages on account of personal physical injuries or sickness, within the meaning of Section 104(a)(2) of the Internal Revenue Code of 1986, as amended.

Daniel J. Goodmann, CSSC
Managing Director - Structured Settlements Mesirow Financial
353 North Clark Street
Chicago, IL 60654
(312) 595-7055 - Direct Line
(877) 772-4436 - Toll Free
(312) 595-6736 - Desktop Fax
(312) 595-4440 - Office Fax
(312) 543-1834 - iPhone
dgoodmann@mesirowfinancial.com

-----Original Message-----

From: Platt, Thomas [mailto:Thomas.Platt@cityofchicago.org]
Sent: Wednesday, April 01, 2015 3:43 PM
To: Goodmann, Daniel
Subject: RE: Probate documents

I attached a draft release. Plaintiff is seeking to change some of the terms.

-----Original Message-----

From: Goodman, Daniel [mailto:DGoodmann@mesirowfinancial.com]

Sent: Wednesday, April 01, 2015 2:11 PM

To: Platt, Thomas

Subject: RE: Probate documents

Tom:

Did you happen to have a draft release done on this yet? This is the addendum language I would need to fill in once we have a plan in place. Thoughts?

Dan

Daniel J. Goodman, CSSC

Managing Director - Structured Settlements Mesirow Financial

353 North Clark Street

Chicago, IL 60654

(312) 595-7055 - Direct Line

(877) 772-4436 - Toll Free

(312) 595-6736 - Desktop Fax

(312) 595-4440 - Office Fax

(312) 543-1834 - iPhone

dgoodmann@mesirowfinancial.com

-----Original Message-----

From: Platt, Thomas [mailto:Thomas.Platt@cityofchicago.org]

Sent: Tuesday, March 31, 2015 7:54 AM

To: Goodman, Daniel

Subject: Re: Probate documents

Hope to send it later today.

From: Goodman, Daniel <DGoodmann@mesirowfinancial.com>

Sent: Monday, March 30, 2015 6:43:45 PM

To: Platt, Thomas

Subject: Re: Probate documents

Whenever possible, send my your release template and I'll insert the language needed. Thanks.

Daniel J Goodman

Managing Director

(312) 595-7055 Office

(312) 543-1834 Cell

Sent from my iPhone

> On Mar 30, 2015, at 5:38 PM, Platt, Thomas <Thomas.Platt@cityofchicago.org> wrote:

>

> Attached is the probate file

>
> Thomas J. Platt
> Deputy Corporation Counsel
> Federal Civil Rights Division
> 30 N. LaSalle Street, Suite 900
> Chicago, Illinois 60602
> 312-744-4833

>
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>
>
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> _____
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> <Probate File (2015, 03-12) 2.pdf>
Visit us on the Web at mesirowfinancial.com

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From: Franklin, Liza
Sent: Tuesday, April 07, 2015 4:12 PM
To: Platt, Thomas
Subject: RE: Memo
Attachments: McDonald LaQuan council_Memo.doc

Liza M. Franklin
Deputy Corporation Counsel
Federal Civil Rights Litigation
312-742-0170

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From: Platt, Thomas
Sent: Tuesday, April 07, 2015 12:56 PM
To: Franklin, Liza
Subject: Memo

Thomas J. Platt
Deputy Corporation Counsel
Federal Civil Rights Division
30 N. LaSalle Street, Suite 900
Chicago, Illinois 60602
312-744-4833

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From: Platt, Thomas
Sent: Tuesday, April 07, 2015 5:02 PM
To: Holden, John;Darling, Leslie
Cc: Patton, Stephen
Subject: Attorney Client Privileged
Attachments: McDonald LaQuan council_Memo 4-7.doc; Q and A McDonald ATTORNEY CLIENT PRIVILEGED CONFIDENTIAL WORK PRODUC.docx

Thomas J. Platt
Deputy Corporation Counsel
Federal Civil Rights Division
30 N. LaSalle Street, Suite 900
Chicago, Illinois 60602
312-744-4833

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From: Darling, Leslie
Sent: Wednesday, April 08, 2015 11:03 AM
To: Breymaier, Shannon
Subject: Fwd: McDonald TPs
Attachments: McDonald Talking Points.docx; ATT00001.htm

Begin forwarded message:

From: "Holden, John" <John.Holden@cityofchicago.org>
Date: April 7, 2015 at 8:05:47 PM CDT
To: "Darling, Leslie" <Leslie.Darling@cityofchicago.org>
Subject: McDonald TPs

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From: Platt, Thomas
Sent: Wednesday, April 08, 2015 11:28 AM
To: Goodmann, Daniel
Subject: RE: mcdonald

The Estate of LaQuan McDonald may structure a portion of the above amount for the benefit of [REDACTED], a minor, and Tina Hunter. The structured settlement funds shall comply with IRC Sec. 104 (a)(2) and IRC Sec. 130 (c). An addendum to this Release and Settlement Agreement shall be executed by all parties and the City of Chicago agrees to fund the structured settlement portion(s) as necessary to comply with the above IRC sections by way of a "qualified assignment and release". Any such assignment, if made, shall be accepted by the the Estate of LaQuan McDonald without right of rejection and shall completely release and discharge the City of Chicago from the Periodic Payments obligation assigned to the Assignee. The Estate of LaQuan McDonald recognizes that, in the event of such an assignment, the Assignee shall be the sole obligor with respect to the Periodic Payments obligation, and that all other releases with respect to the Periodic Payments obligation that pertain to the liability of the City of Chicago shall thereupon become final, irrevocable and absolute. All sums set forth herein constitute damages on account of personal physical injuries or sickness, within the meaning of Section 104(a)(2) of the Internal Revenue Code of 1986, as amended.

From: Goodmann, Daniel [<mailto:DGoodmann@mesirowfinancial.com>]
Sent: Wednesday, April 08, 2015 11:16 AM
To: Platt, Thomas
Subject: Re: mcdonald

Send me the language I sent you, if you could. I don't have access to the file until later. Thanks.

Daniel J Goodmann
Managing Director
(312) 595-7055 Office
(312) 543-1834 Cell
Sent from my iPhone

On Apr 8, 2015, at 8:59 AM, Platt, Thomas <Thomas.Platt@cityofchicago.org> wrote:

Just tried your cell, but no answer. Give me a call as soon as you can.

Thomas J. Platt
Deputy Corporation Counsel
Federal Civil Rights Division
30 N. LaSalle Street, Suite 900
Chicago, Illinois 60602
312-744-4833

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From: Platt, Thomas
Sent: Wednesday, April 08, 2015 11:51 AM
To: Michael Robbins
Cc: neslundlaw
Subject: RE: McDonald
Attachments: Release form modified on April 8 (2).pdf; Finance Committee Settlement Letter (2015 04-08) 2-Signed.pdf

Dear Jeff and Mike,

Attached is the revised release. I modified Par. 8. Also attached is the letter you requested. The no notice of lien language is in par. 8 of the revised release. To carry out expedited payment, I will need your FEIN numbers for the comptroller.

From: Michael Robbins [<mailto:mdrobbins@lawmdr.com>]
Sent: Wednesday, April 08, 2015 10:43 AM
To: Platt, Thomas
Cc: neslundlaw
Subject: RE: McDonald

Tom,

In the letter

In addition to the statement that the settlement will be presented to the City Council on 4/15/15, also confirm that the City has no notice of any liens against the estate, to date.

In the Agreement

We need the following language added to Para. 6:

All sums payable to the Estate constitute damages on account of personal injuries or sickness within the meaning of Section 104 (a)(2) of the Internal Revenue Code of 1986, as amended.

Para. 8 delete: " ...or other designated payees..."

As discussed, we cannot commit to a particular structure plan without the approval of the probate court. We will be happy to receive proposed plans from Dan Goodman and present it to the court and the minor's GAL.

Mike

From: Platt, Thomas [<mailto:Thomas.Platt@cityofchicago.org>]
Sent: Wednesday, April 08, 2015 9:55 AM

■

To: Michael Robbins
Subject: FW: McDonald

From: Platt, Thomas
Sent: Wednesday, April 08, 2015 9:45 AM
To: neslundlaw@yahoo.com
Subject: McDonald

Dear Jeff and Mike

Attached is a modified release which accommodates some of the changes we discussed. Specifically, in par. 5 on p. 3, I removed the reference to the Estate's agreement that the release of the materials could interfere or impact the ongoing criminal investigation. I left in, however, the City's assertion to that effect. As to the public release of materials, we cannot limit this bar to specify any time period, but we will agree to modify this sentence to allow release of the probate subpoenaed materials if the materials are otherwise publicly available or disclosed or disclosed as required by law or court order.

I removed the reference in par. 8 to the structure and substituted that the check will be payable to the Estate, its attys or other designated payee. This is purely an accommodation for the structure agreement. If that is not acceptable to you, then something has to be worked out with Goodman or we will remove all references to other payees.

In Par. 9, I removed, "on advice of its attorneys," per your request.

We will provide a letter specifying the City's commitment to present this to the Finance Committee on Monday, April 13 and full council on April 15, 2015. However, we must have a signed agreement concluded by today. Call me after you have had a chance to review.

Thomas J. Platt
Deputy Corporation Counsel
Federal Civil Rights Division
30 N. LaSalle Street, Suite 900
Chicago, Illinois 60602
312-744-4833

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IN THE MATTER OF THE ESTATE OF)	
LaQUAN McDONALD also known as)	No. 14 P 7092
LeQUAN McDONALD, deceased, by its)	
Independent Administrator, Tina Hunter)	
)	
)	
v.)	
)	
CITY OF CHICAGO)	

RELEASE AND SETTLEMENT AGREEMENT

Tina Hunter, mother of decedent LaQuan McDonald (also known as LeQuan McDonald), and independent administrator of the Estate of LaQuan McDonald, (hereafter, “the Estate of LaQuan McDonald”), by her attorneys, Jeffrey J. Neslund and Michael D. Robbins and City of Chicago, by its attorney, Stephen R. Patton, Corporation Counsel of the City of Chicago, Thomas J. Platt, Deputy Corporation Counsel, herein stipulate and agree to the following:

1. The Estate of LaQuan McDonald 14 P 7092, Circuit Court of Cook County, has brought a claim against City of Chicago and its employee, Chicago Police Officer Jason Van Dyke, Star 9465, Officer Joseph Walsh, Star 12865, Detective David March, Star 20563, Sergeant Daniel Gallagher, Star 1303, Lieutenant Anthony Wojcik, Star 481, Detective Richard Hagen, Star 20606 and other Chicago Police officers and employees of the City of Chicago arising out of the fatal shooting of LaQuan McDonald on October 20, 2014 for which the Estate of LaQuan McDonald claims damages.

2. City of Chicago denies Estate of LaQuan McDonald’s allegations of wrongdoing and further denies any liability.

3. The parties and their respective attorneys acknowledge that settlement of this claim is not an admission of liability, or of unconstitutional or illegal conduct by or on the part of the City of Chicago of its future, current or former officers, agents and employees, and shall not

serve as evidence of any wrongdoing by or on the part of the City of Chicago or its future, current or former officers, agents and employees. The parties and their respective attorneys further acknowledge that settlement is made to avoid the uncertainty of the outcome of any litigation and the expense in time and money of litigation and for the purpose of judicial economy.

4. In consideration of the hereinafter indicated settlement entered pursuant to this Release and Settlement Agreement, and upon advice of counsel, the Estate of LaQuan McDonald agrees not to file any lawsuit, claim or cause of action of any kind at any time in any jurisdiction, including, but not limited to, any claims under the Illinois Wrongful Death Act, the Illinois Survival Act and claims under 42 U.S.C. §1983 against City of Chicago, Officer Jason Van Dyke, Star 9465, Officer Joseph Walsh, Star 12865, Detective David March, Star 20563, Sergeant Daniel Gallagher, Star 1303, Lieutenant Anthony Wojcik, Star 481, Detective Richard Hagen, Star 20606 or of any its current, future or former officers, agents and employees with respect to the incident set forth in paragraph one of this Release and Settlement Agreement except solely in the event that the Chicago City Council rejects the hereinafter indicated settlement, with each party bearing its own costs and attorneys' fees. The Estate of Laquan McDonald agrees it will be required to execute this Release and Settlement agreement prior to the City's presentation of the settlement agreement to the Chicago City Council and that the Estate of LaQuan McDonald's offer to settle on these terms shall not be revoked or otherwise repudiated unless the Chicago City Council rejects the settlement agreement.

5. The City of Chicago and Estate of LaQuan McDonald agree that the fact or existence and terms of this settlement agreement, including but not limited to this Release and Settlement Agreement, shall remain confidential until the Chicago City Council approves an ordinance authorizing this agreement. The City of Chicago and Estate of LaQuan McDonald and its attorneys further acknowledge and agree that there is an ongoing criminal investigation by the

federal and state authorities of the incident which is the subject of this release and settlement agreement (“incident”), and that potential evidence and materials (“materials”) relating to this investigation and potential criminal charges, were obtained by the Estate of LaQuan McDonald in response to subpoenas issued in the matter of Estate of LaQuan McDonald, 14 P 7092, Circuit Court of Cook County. The City of Chicago submits that release or dissemination of these materials could interfere with and have an adverse impact on the ongoing criminal investigation and potential charges brought with respect to this incident. Estate of LaQuan McDonald and its attorneys therefore agree not to publicly release, disclose or disseminate the materials obtained through subpoenas issued in 14 P 7092 (“materials”), until the completion of the pending criminal investigations and, if criminal charges are brought, the conclusion of such criminal charges by way of plea agreement, trial or dismissal, unless these materials are otherwise publicly disclosed or disclosed as required by law or court order. Estate of LaQuan McDonald and its attorneys agree that they will not make any copies or distribute these materials to any other persons or entities and will provide seven days written notice to the City of Chicago, its attorneys or successors prior to any publication, dissemination or release of the above mentioned materials.

6. Estate of LaQuan McDonald accepts a settlement from defendant, City of Chicago, in the total amount of FIVE MILLION DOLLARS AND NO/100 DOLLARS (\$5,000,000.00), inclusive of all costs and attorney’s fees.

7. The City’s obligations pursuant to this Release and Settlement Agreement are conditioned upon approval of the settlement agreement by the Chicago City Council. The City will not be obligated to perform its obligations pursuant to this Release and Settlement Agreement until the following events occur: (1) the City receives a copy of this Release and Settlement Agreement executed by the Estate of LaQuan McDonald and its attorney; (2) the

Chicago City Council enacts an ordinance authorizing settlement and payment of the funds agreed upon in this Release and Settlement Agreement.

8. The City agrees to pay plaintiff the total settlement amount as specified in paragraph 5 herein within thirty (30) days of receipt by the Corporation Counsel's Office of a fully executed settlement agreement, an ordinance of the City Council authorizing the settlement as described in paragraph 6, and any necessary court-entered order in the Circuit Court of Cook County for the disposition of funds, whichever is received latest. This sum shall be payable solely by the City of Chicago, and Estate of LaQuan McDonald and its attorneys agree that they will not seek payment from any source other than the City of Chicago. The settlement check will be made payable to Estate of LaQuan McDonald and its attorneys and any lien claims of which the City has notice. The City states it has no notice of any liens. Subject to court approval, the Estate may designate all or a portion of the funds as damages on account of personal injuries or sickness within the meaning of Section 104 (a)(2) of the Internal Revenue Code, as amended.

9. In consideration of this settlement entered pursuant to this Release and Settlement Agreement, Estate of LaQuan McDonald agrees to indemnify and hold harmless the City of Chicago, and its future, current, or former officers, agents and employees including, but not limited to, Officer Jason Van Dyke, Star 9465, Officer Joseph Walsh, Star 12865, Detective David March, Star 20563, Sergeant Daniel Gallagher, Star 1303, Lieutenant Anthony Wojcik, Star 481 and Detective Richard Hagen, Star 20606 from any claims, losses, damages or expenses, including attorneys' fees and costs, incurred, or which may be incurred, by reason of any lien or any other claim or interest held by any person, entity or corporation against any moneys received or to be received by Estate of LaQuan McDonald under this settlement entered pursuant to this Release and Settlement Agreement.

10. Estate of LaQuan McDonald, upon advice of counsel, understands and agrees that in consideration of the settlement entered pursuant to this Release and Settlement Agreement, Estate of LaQuan McDonald does hereby release and forever discharge on behalf of himself and his heirs, executors, administrators and assigns, all claims he had or has against Officer Jason Van Dyke, Star 9465, Officer Joseph Walsh, Star 12865, Detective David March, Star 20563, Sergeant Daniel Gallagher, Star 1303, Lieutenant Anthony Wojcik, Star 481 and Detective Richard Hagen, Star 20606 and the City of Chicago, and its future, current or former officers, agents and employees, including but not limited to all claims he had, has, or may have in the future, under local, state, or federal law, arising either directly or indirectly out of the incident which was the basis of this claim and any potential litigation, and that such release and discharge also is applicable to any and all unnamed agents, employees, officers or persons affiliated with the City of Chicago.

11. This Release and Settlement Agreement and any documents that may be executed under paragraph 13 herein contain the entire agreement between the parties with regard to the settlement of this claim, and shall be binding upon and inure to the benefit of the parties hereto, jointly and severally, and the heirs, executors, administrators, personal representatives, successors, and assigns of each.

12. This Release and Settlement Agreement is entered into in the State of Illinois and shall be construed and interpreted in accordance with its laws. Terms contained herein shall not be construed against a party merely because that party is or was the principal drafter.

13. In entering into this Release and Settlement Agreement, Estate of LaQuan McDonald represents that it has relied upon the advice of its attorney, who is the attorney of its choice, and that the terms of this Release and Settlement Agreement have been interpreted, completely read and explained to the independent administrator by its attorney, and that those

terms are fully understood and voluntarily accepted by the Estate of LaQuan McDonald. Estate of LaQuan McDonald also represents and warrants that no other person or entity has or has had any interest in the claims or causes of action referred to herein, that the independent administrator and its attorney have the sole right and exclusive authority to execute this Release and Settlement Agreement and receive the sums specified herein, and that they have not sold, assigned, transferred, conveyed, or otherwise disposed of any of the claims or causes of action referred to herein.

14. All parties agree to cooperate fully and to execute any and all supplementary documents and to take all additional actions which are consistent with and which may be necessary or appropriate to give full force and effect to the basic terms and intent of this Release and Settlement Agreement.

Estate of LaQuan McDonald, deceased
by its Independent Administrator, Tina
Hunter
Address: _____

Date of birth: _____
*SSN: _____

*Providing SSN is voluntary

Jeffrey J. Neslund Attorney for Estate
of LaQuan McDonald
Law Offices of Jeffrey J. Neslund
20 N. Wacker Drive, Suite 3710
Chicago, Illinois 60606
(312) 223-1100

FEIN: _____
DATE: _____

City of Chicago
a Municipal Corporation

Stephen Patton
Corporation Counsel
Attorney for City of Chicago

BY: _____
Thomas Platt
Attorney for City of Chicago
Deputy Corporation Counsel
30 N. LaSalle St., Suite 900
Chicago, Illinois 60602
(312) 744-4833

Michael D. Robbins
Michael D. Robbins and Associates
Attorney for Estate of LaQuan McDonald
20 N. Wacker Drive, Suite 3710
Chicago, Illinois 60606
(312) 223-1100
FEIN: _____
DATE: _____



DEPARTMENT OF LAW
CITY OF CHICAGO

April 8, 2015

Michael D. Robbins
Michael D. Robbins and Associates
20 N. Wacker Drive, Suite 3710
Chicago, Illinois 60606

Jeffrey J. Neslund
Law Offices of Jeffrey J. Neslund
20 N. Wacker Drive, Suite 3710
Chicago, Illinois 60606

Re: Settlement in the Matter of *Estate of LaQuan McDonald*, 14 P 7092

Dear Mr. Robbins and Mr. Neslund:

The City of Chicago's Law Department will present the settlement recommendation reached in the above named case to the City Council's Finance Committee on April 13, 2015 for approval of the Release and Settlement Agreement signed by all parties. If the Finance Committee approves the agreement, it is expected that it will be presented to the full council for approval on April 15, 2015. Corporation Counsel Stephen R. Patton is fully committed to presenting this settlement and has advised all the pertinent individuals of his intent. Mr. Patton will personally present this matter to the Finance Committee on Monday assuming we have a signed Release and Settlement Agreement.

If you have any questions or need anything further, please contact me.

Very truly yours,

Thomas J. Platt
Deputy Corporation Counsel
City of Chicago, Department of Law
(312)-744-4833

From: Dominguez, Patricia
Sent: Wednesday, April 08, 2015 12:43 PM
To: Darling, Leslie
Subject: Redlined LaQuan McDonald 4.8.2015.docx
Attachments: Redlined LaQuan McDonald 4.8.2015.docx

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From: Platt, Thomas
Sent: Wednesday, April 08, 2015 12:58 PM
To: neslundlaw@yahoo.com;Michael Robbins
Subject: revised release per conversation
Attachments: Release form modified on April 8 (3).pdf

Thomas J. Platt
Deputy Corporation Counsel
Federal Civil Rights Division
30 N. LaSalle Street, Suite 900
Chicago, Illinois 60602
312-744-4833

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From: Michael Robbins <mdrobbins@lawmdr.com>
Sent: Wednesday, April 08, 2015 1:06 PM
To: Platt, Thomas
Subject: RE: before I send

OK printing

From: Platt, Thomas [<mailto:Thomas.Platt@cityofchicago.org>]
Sent: Wednesday, April 08, 2015 1:02 PM
To: Michael Robbins
Subject: RE: before I send

Yes.

From: Michael Robbins [<mailto:mdrobbins@lawmdr.com>]
Sent: Wednesday, April 08, 2015 1:02 PM
To: Platt, Thomas
Subject: RE: before I send

This looks good - did you just send the agreement with these revisions?

From: Platt, Thomas [<mailto:Thomas.Platt@cityofchicago.org>]
Sent: Wednesday, April 08, 2015 12:47 PM
To: Michael Robbins; neslundlaw@yahoo.com
Subject: before I send

Here is how I have changed par. 8 and 14 pursuant to our latest conversation. If this is approved, I will forward the entire revised release.

8. The City agrees to pay plaintiff the total settlement amount as specified in paragraph 5 herein within thirty (30) days of receipt by the Corporation Counsel's Office of a fully executed settlement agreement and an ordinance of the City Council authorizing the settlement as described in paragraph 6. This sum shall be payable solely by the City of Chicago, and Estate of LaQuan McDonald and its attorneys agree that they will not seek payment from any source other than the City of Chicago. The settlement check will be made payable to Estate of LaQuan McDonald and its attorneys and any lien claims of which the City has notice. The City states it has no notice of any liens. Subject to court approval, the Estate may designate all or a portion of the funds as damages on account of personal injuries or sickness within the meaning of Section 104 (a)(2) of the Internal Revenue Code, as amended.

14. All parties agree to cooperate fully and to execute any and all supplementary documents and to take all additional actions which are consistent with and which may be necessary or appropriate to give full force and effect to the basic terms and intent of this Release and Settlement Agreement including compliance of any orders of the Circuit Court of Cook County with regard to any payment or disposition of funds.

Thomas J. Platt
Deputy Corporation Counsel
Federal Civil Rights Division
30 N. LaSalle Street, Suite 900
Chicago, Illinois 60602
312-744-4833

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From: Laura Coronado <lcoronado@lawmdr.com>
Sent: Wednesday, April 08, 2015 1:31 PM
To: Platt, Thomas
Cc: Michael Robbins;neslundlaw
Subject: McDonald
Attachments: Release from City executed.pdf

Dear Mr. Platt:

Attached please find the executed Release. Mr. Robbins' clerk will deliver the original this afternoon.

Thank you,

Laura Coronado
Assistant to Michael D. Robbins
Michael D. Robbins & Associates
20 North Wacker Drive, Suite 3710
Chicago, IL 60606
(312) 899-8000
Fax: (312) 781-9123
lcoronado@lawmdr.com
www.lawmdr.com

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From: Platt, Thomas
Sent: Wednesday, April 08, 2015 2:27 PM
To: Coffey, Laura
Subject: RE: SRP Remarks; ATTORNEY-CLIENT PRIVILEGED and CONFIDENTIAL
Attachments: Signed release, POA, vendor code and ltr re finance committee.pdf

Will do. I have attached the following: signed Release and Settlement, Limited Power of Attorney signed by Tina Hunter authorizing Michael Robbins to sign any Release and Settlement, vendor code request, letter to McDonald counsel regarding commitment to present case to Finance Committee on April 13

From: Coffey, Laura
Sent: Wednesday, April 08, 2015 2:10 PM
To: Platt, Thomas
Subject: SRP Remarks; ATTORNEY-CLIENT PRIVILEGED and CONFIDENTIAL

Per Steve, please check facts for accuracy and revise as appropriate.

Best regards,

Laura Coffey
Administrative Assistant to the Corporation Counsel
City of Chicago Department of Law
121 N. LaSalle, Suite 600
Chicago, IL 60602
(312) 744-6901
laura.coffey@cityofchicago.org

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From: Darling, Leslie
Sent: Wednesday, April 08, 2015 2:44 PM
To: Dominguez, Patricia
Subject: LaQuan McDonald settlement memo 4 8 2015.docx
Attachments: LaQuan McDonald settlement memo 4 8 2015.docx

Ritter, Amber

From: Platt, Thomas
Sent: Wednesday, April 08, 2015 3:07 PM
To: Coffey, Laura;Patton, Stephen
Subject: SRP remarks, edits
Attachments: SRP Remarks re LaQuan McDonald Settlement-tjp edits.docx

Here are my track changes.

Thomas J. Platt
Deputy Corporation Counsel
Federal Civil Rights Division
30 N. LaSalle Street, Suite 900
Chicago, Illinois 60602
312-744-4833

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From: Franklin, Liza
Sent: Wednesday, April 08, 2015 3:26 PM
To: Darling, Leslie
Subject: RE: McDonald
Attachments: LaQuan McDonald settlement memo 4 8 2015 LMD's clean.docx

I took your advice and just read the clean one. I had a couple of language suggestions.

Liza M. Franklin
Deputy Corporation Counsel
Federal Civil Rights Litigation
312-742-0170

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From: Darling, Leslie
Sent: Wednesday, April 08, 2015 3:16 PM
To: Franklin, Liza
Subject: FW: McDonald

You may just want to review the clean. I made a lot of changes. Thanks a million.

From: Dominguez, Patricia
Sent: Wednesday, April 08, 2015 3:15 PM
To: Darling, Leslie
Subject: McDonald

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From: Breymaier, Shannon
Sent: Wednesday, April 08, 2015 3:28 PM
To: Darling, Leslie
Subject: McDonald TPs
Attachments: McDonald Settlement TPs April 2015.docx

Sorry this took so long – it's been a crazy day.

Shannon Breymaier
O: 312-744-9045 C: 312-859-2719
Shannon.Breymaier@cityofchicago.org

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From: Dominguez, Patricia
Sent: Wednesday, April 08, 2015 5:40 PM
To: Darling, Leslie
Subject: Settlements
Attachments: Koschman memo to City Council redline 4.8.2015.doc; LaQuan McDonald settlement memo 4 8 2015 LMD's clean w Liza and Jeff edits.docx; Bruce Finance Committee Settlement Draft Memo Redline 4.8.2015.doc

FYI-Most recent versions.

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From: Breymaier, Shannon
Sent: Wednesday, April 08, 2015 6:42 PM
To: Darling, Leslie
Subject: updated McDonald settlement TPs
Attachments: McDonald Settlement TPs April 2015.docx

Attached.

Shannon Breymaier
O: 312-744-9045 C: 312-859-2719
Shannon.Breymaier@cityofchicago.org

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From: Coffey, Laura
Sent: Thursday, April 09, 2015 9:49 AM
To: Darling, Leslie;Platt, Thomas;Franklin, Liza;Holden, John;Breymaier, Shannon
Subject: Talking Points; ATTORNEY-CLIENT PRIVILEGED and CONFIDENTIAL
Attachments: SRP Remarks re LaQuan McDonald Settlement_clean.docx; SRP Remarks re COF Koschman Settlement_clean.docx

Per Steve, please see attached talking points for your review and comment. I am working on Q&A for McDonald, and will send shortly.

Best regards,

Laura Coffey
Administrative Assistant to the Corporation Counsel
City of Chicago Department of Law
121 N. LaSalle, Suite 600
Chicago, IL 60602
(312) 744-6901
laura.coffey@cityofchicago.org

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From: Collins, Adam
Sent: Thursday, April 09, 2015 10:42 AM
To: Maloney, Martin (Martin.Maloney@chicagopolice.org)
Cc: Rountree, Janey
Subject: planning

Follow Up Flag: Follow up
Flag Status: Completed

Hey Marty-

As I mentioned the other day, we need to gather up our planning stuff for the next few months – both proactively and reactively. I started pulling together a list for each category (bolded things are items MRE could be involved in at some level). What else should we be monitoring in terms of outstanding reactive stories? What other opportunities exist? Are you hearing anything from Garry, Jim or Bobby?

Most importantly, we're coming up into the busy season for CPD and this should help us build a strong strategic comms plans for:

1) the next 6 months overall – this should include some thought around how we want to frame our public safety efforts and include announcement opportunities, events, interviews, etc that can reinforce. We should obviously also be thinking about current narratives in the media and among the public, such as the relationship between police and residents, and factor those realities into our plan

2) contact cards

CPD – Reactive

- TBD – Homan Square
- TBD – Access to counsel
 - ST/Frank Main
 - WBEZ/Susie An
- TBD – WBEZ/Patrick Smith: Criminal registration
- TBD – CT/Jeremy Gorner: Discipline
- TBD – Chicago Reader/Ade Emmanuel: Mental health response
- TBD – CT/Steve Schmadeke: Kevin Fry
- TBD – Catalyst/Sarah Karp: Crime/arrests in schools
- TBD – Police deployment
 - CT/Jeremy Gorner
 - WBEZ/Katie O'Brien
- May/June – Chicago Magazine/David Bernstein
- Laquan McDonald shooting
- Contact cards

CPD – Proactive

- April 14 – Burge reparations hearing
- **April 21 – Detective graduation**
- April – Outreach on Faith in Action 2015: May 22, June 19, and August 4th
- **April/May – Gun sentencing reform push in Springfield**

- May – Homicide Crisis Response pilot will be live in the 5th district
- TBD – New Papachristos report due out?
- TBD – Impact Zone 2.0
- TBD – 10 hour work day
- TBD – RISE expansion
- TBD – Bridging the Divide expanding to new police districts

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From: Holden, John
Sent: Thursday, April 09, 2015 10:50 AM
To: Coffey, Laura;Darling, Leslie;Platt, Thomas;Franklin, Liza;Breymaier, Shannon;Patton, Stephen
Subject: RE: Talking Points; ATTORNEY-CLIENT PRIVILEGED and CONFIDENTIAL
Attachments: SRP Remarks re LaQuan McDonald Settlement_clean.docx; SRP Remarks re COF Koschman Settlement_clean.docx

I think these are exceptionally well done. I have tracked a couple of suggested copy edits in the attached. In the K remarks, my only suggestion is to avoid characterizing the size of the settlement, which might be seized upon by the media.

From: Coffey, Laura
Sent: Thursday, April 09, 2015 9:49 AM
To: Darling, Leslie; Platt, Thomas; Franklin, Liza; Holden, John; Breymaier, Shannon
Subject: Talking Points; ATTORNEY-CLIENT PRIVILEGED and CONFIDENTIAL

Per Steve, please see attached talking points for your review and comment. I am working on Q&A for McDonald, and will send shortly.

Best regards,

Laura Coffey
Administrative Assistant to the Corporation Counsel
City of Chicago Department of Law
121 N. LaSalle, Suite 600
Chicago, IL 60602
(312) 744-6901
laura.coffey@cityofchicago.org

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From: Platt, Thomas
Sent: Thursday, April 09, 2015 11:56 AM
To: Michael Robbins
Subject: RE: Executed copy
Attachments: Signed Release and POA.pdf

Attached. Sorry for the delay

From: Michael Robbins [<mailto:mdrobbins@lawmdr.com>]
Sent: Thursday, April 09, 2015 10:47 AM
To: Platt, Thomas
Cc: neslundlaw
Subject: Executed copy

Tom,

Have you sent a copy of the agreement signed on behalf of the City?

Thanks, Mike

Michael D. Robbins
Michael D. Robbins & Associates
20 North Wacker Dr.
Suite 3710
Chicago, IL 60606
312/899-8000

mdrobbins@lawmdr.com

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From: Darling, Leslie
Sent: Thursday, April 09, 2015 12:11 PM
To: Dominguez, Patricia;Levine, Jeffrey
Subject: LaQuan McDonald settlement memo 4 8 2015 edits 4 9 2015
Attachments: LaQuan McDonald settlement memo 4 8 2015 edits 4 9 2015.docx

Hopefully final. Jeff, can I ask you to do a final review? Thanks.
Leslie

From: Breymaier, Shannon
Sent: Thursday, April 09, 2015 12:23 PM
To: Darling, Leslie
Subject: revised McDonald TPS
Attachments: SBedit_SRP Remarks re LaQuan McDonald Settlement_clean.docx

Attached

Shannon Breymaier
O: 312-744-9045 C: 312-859-2719
Shannon.Breymaier@cityofchicago.org

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From: Breymaier, Shannon
Sent: Thursday, April 09, 2015 12:27 PM
To: Coffey, Laura;Darling, Leslie;Platt, Thomas;Franklin, Liza;Holden, John;Patton, Stephen
Subject: RE: Q&A's; ATTORNEY-CLIENT PRIVILEGED and CONFIDENTIAL
Attachments: SBedit_SRP Remarks re LaQuan McDonald Settlement_clean.docx

Sorry for the delay, but I've been slammed today. My edits to the McDonald TP are redlined and attached. Working on the corresponding Q&A now before moving on to the Koschman materials.

Shannon Breymaier
O: 312-744-9045 C: [REDACTED]
Shannon.Breymaier@cityofchicago.org

From: Coffey, Laura
Sent: Thursday, April 09, 2015 12:21 PM
To: Darling, Leslie; Platt, Thomas; Franklin, Liza; Holden, John; Breymaier, Shannon
Subject: RE: Q&A's; ATTORNEY-CLIENT PRIVILEGED and CONFIDENTIAL

Steve would like to receive comments back on Q&A's (and talking points, if you have any) as soon as possible. After 2 p.m. he will be booked solid the rest of the day.

From: Coffey, Laura
Sent: Thursday, April 09, 2015 11:05 AM
To: Darling, Leslie; Platt, Thomas; Franklin, Liza; Holden, John; Breymaier, Shannon
Subject: RE: Q&A's; ATTORNEY-CLIENT PRIVILEGED and CONFIDENTIAL

Koschman Q&A attached, for your review and comment.

From: Coffey, Laura
Sent: Thursday, April 09, 2015 10:49 AM
To: Darling, Leslie; Platt, Thomas; Franklin, Liza; Holden, John; Breymaier, Shannon
Subject: Q&A's; ATTORNEY-CLIENT PRIVILEGED and CONFIDENTIAL

McDonald Q&A attached for your review and comment, per Steve. He also just handed me his Q&A for Koschman, which I am typing up now. Will send shortly.

Best regards,

Laura Coffey
Administrative Assistant to the Corporation Counsel
City of Chicago Department of Law
121 N. LaSalle, Suite 600
Chicago, IL 60602
(312) 744-6901
laura.coffey@cityofchicago.org

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From: Breymaier, Shannon
Sent: Thursday, April 09, 2015 12:36 PM
To: Coffey, Laura;Darling, Leslie;Platt, Thomas;Franklin, Liza;Holden, John
Subject: RE: Q&A's; ATTORNEY-CLIENT PRIVILEGED and CONFIDENTIAL
Attachments: SB editsLaQuan McDonald Settlement Q and A_clean.docx

Thanks,
Shannon

Shannon Breymaier
O: 312-744-9045 C: 312-859-2719
Shannon.Breymaier@cityofchicago.org

From: Coffey, Laura
Sent: Thursday, April 09, 2015 12:21 PM
To: Darling, Leslie; Platt, Thomas; Franklin, Liza; Holden, John; Breymaier, Shannon
Subject: RE: Q&A's; ATTORNEY-CLIENT PRIVILEGED and CONFIDENTIAL

Steve would like to receive comments back on Q&A's (and talking points, if you have any) as soon as possible. After 2 p.m. he will be booked solid the rest of the day.

From: Coffey, Laura
Sent: Thursday, April 09, 2015 11:05 AM
To: Darling, Leslie; Platt, Thomas; Franklin, Liza; Holden, John; Breymaier, Shannon
Subject: RE: Q&A's; ATTORNEY-CLIENT PRIVILEGED and CONFIDENTIAL

Koschman Q&A attached, for your review and comment.

From: Coffey, Laura
Sent: Thursday, April 09, 2015 10:49 AM
To: Darling, Leslie; Platt, Thomas; Franklin, Liza; Holden, John; Breymaier, Shannon
Subject: Q&A's; ATTORNEY-CLIENT PRIVILEGED and CONFIDENTIAL

McDonald Q&A attached for your review and comment, per Steve. He also just handed me his Q&A for Koschman, which I am typing up now. Will send shortly.

Best regards,

Laura Coffey
Administrative Assistant to the Corporation Counsel
City of Chicago Department of Law
121 N. LaSalle, Suite 600
Chicago, IL 60602
(312) 744-6901

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From: Franklin, Liza
Sent: Thursday, April 09, 2015 12:44 PM
To: Coffey, Laura;Darling, Leslie;Platt, Thomas;Holden, John;Breymaier, Shannon
Subject: RE: Q&A's; ATTORNEY-CLIENT PRIVILEGED and CONFIDENTIAL
Attachments: LMF and SBedits_SRP Remarks re LaQuan McDonald Settlement_clean.docx

Here are my edits to the McDonald remarks.

Liza M. Franklin
Deputy Corporation Counsel
Federal Civil Rights Litigation
312-742-0170

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From: Coffey, Laura
Sent: Thursday, April 09, 2015 12:21 PM
To: Darling, Leslie; Platt, Thomas; Franklin, Liza; Holden, John; Breymaier, Shannon
Subject: RE: Q&A's; ATTORNEY-CLIENT PRIVILEGED and CONFIDENTIAL

Steve would like to receive comments back on Q&A's (and talking points, if you have any) as soon as possible. After 2 p.m. he will be booked solid the rest of the day.

From: Coffey, Laura
Sent: Thursday, April 09, 2015 11:05 AM
To: Darling, Leslie; Platt, Thomas; Franklin, Liza; Holden, John; Breymaier, Shannon
Subject: RE: Q&A's; ATTORNEY-CLIENT PRIVILEGED and CONFIDENTIAL

Koschman Q&A attached, for your review and comment.

From: Coffey, Laura
Sent: Thursday, April 09, 2015 10:49 AM
To: Darling, Leslie; Platt, Thomas; Franklin, Liza; Holden, John; Breymaier, Shannon
Subject: Q&A's; ATTORNEY-CLIENT PRIVILEGED and CONFIDENTIAL

McDonald Q&A attached for your review and comment, per Steve. He also just handed me his Q&A for Koschman, which I am typing up now. Will send shortly.

Best regards,

Laura Coffey

Administrative Assistant to the Corporation Counsel
City of Chicago Department of Law
121 N. LaSalle, Suite 600
Chicago, IL 60602
(312) 744-6901
laura.coffey@cityofchicago.org

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From: Collins, Adam
Sent: Friday, April 10, 2015 7:08 AM
To: Patton, Stephen
Subject: RE: Poss. inquiries: CPD/McDonald shooting

Sounds great. Thanks, Steve.

----- Original message -----

From: "Patton, Stephen" <Stephen.Patton@cityofchicago.org>
Date: 04/10/2015 6:25 AM (GMT-06:00)
To: "Collins, Adam" <Adam.Collins@cityofchicago.org>
Subject: Re: Poss. inquiries: CPD/McDonald shooting

Adam, I had a chance to focus on this last night, and to discuss it with my police litigators, and I am okay with it. I agree that it does not contravene our policy of not commenting publicly on settled matters until they are presented to the Committee of Finance. As you probably heard, we delayed the announcement of the agenda until today. Good luck.

From: Collins, Adam
Sent: Thursday, April 9, 2015 3:58:01 PM
To: Update_List; Patton, Stephen; Darling, Leslie; Rountree, Janey
Subject: Poss. inquiries: CPD/McDonald shooting

On Monday the finance committee will be hearing a proposed settlement in the officer-involved shooting involving Laquan McDonald. The meeting will be posted at 4 pm today, and we may get inquiries - particularly given the national interest in this topic. This incident has already gotten some media attention in the past few months, mostly from people calling for any video evidence to be released. Previously CPD and IPRA have just said that the incident is under investigation and they can't comment.

I spoke with a few folks already, and I think we should point any inquiries to IPRA, who could give the below statement from Scott Ando. Let me know what you think.

"The City of Chicago takes every incident in which an officer fires their weapon extremely seriously, which is why this agency, an independent, civilian organization, investigates each and every of them. At the outset, we immediately refer every officer-involved shooting to state prosecutors, who review the case to determine if criminal charges may be appropriate. The shooting that led to Laquan McDonald's death has been and is being investigated by prosecutors, and as a result we cannot offer any further comment."

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From: Platt, Thomas
Sent: Friday, April 10, 2015 9:15 AM
To: Franklin, Liza;Patton, Stephen
Cc: Darling, Leslie
Subject: RE: Poss. inquiries: CPD/McDonald shooting

I agree. IPRA should go ahead with the statement.

From: Franklin, Liza
Sent: Thursday, April 09, 2015 9:16 PM
To: Patton, Stephen
Cc: Platt, Thomas; Darling, Leslie
Subject: Re: Poss. inquiries: CPD/McDonald shooting

I don't. Frankly, I think they should.

Sent from my iPhone

On Apr 9, 2015, at 8:44 PM, Patton, Stephen <Stephen.Patton@cityofchicago.org> wrote:

Do you see any problem if IPRA were to make the following statement.

From: Collins, Adam
Sent: Thursday, April 09, 2015 3:58 PM
To: Update_List; Patton, Stephen; Darling, Leslie; Rountree, Janey
Subject: Poss. inquiries: CPD/McDonald shooting

On Monday the finance committee will be hearing a proposed settlement in the officer-involved shooting involving Laquan McDonald. The meeting will be posted at 4 pm today, and we may get inquiries - particularly given the national interest in this topic. This incident has already gotten some media attention in the past few months, mostly from people calling for any video evidence to be released. Previously CPD and IPRA have just said that the incident is under investigation and they can't comment.

I spoke with a few folks already, and I think we should point any inquiries to IPRA, who could give the below statement from Scott Ando. Let me know what you think.

"The City of Chicago takes every incident in which an officer fires their weapon extremely seriously, which is why this agency, an independent, civilian organization, investigates each and every of them. At the outset, we immediately refer every officer-involved shooting to state prosecutors, who review the case to determine if criminal charges may be appropriate. The shooting that led to Laquan McDonald's death has been and is being investigated by prosecutors, and as a result we cannot offer any further comment."

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From: Rountree, Janey
Sent: Friday, April 10, 2015 10:53 AM
To: Collins, Adam;Breymaier, Shannon;Update_List;Patton, Stephen;Darling, Leslie
Subject: RE: Poss. inquiries: CPD/McDonald shooting

I'm good

From: Collins, Adam
Sent: Friday, April 10, 2015 10:03 AM
To: Breymaier, Shannon; Update_List; Patton, Stephen; Darling, Leslie; Rountree, Janey
Subject: RE: Poss. inquiries: CPD/McDonald shooting

Clo and I did some work to tighten the statement. Any issues with this?

"The City takes it seriously every time an officer fires their weapon, which is why we take two very important steps for each incident: we conduct an independent, civilian led investigation, and we refer each incident to State's Attorney to determine if criminal charges may be appropriate. The shooting that led to Laquan McDonald's death continues to be investigated by prosecutors, and as a result we cannot offer any further comment."

From: Collins, Adam
Sent: Friday, April 10, 2015 8:46 AM
To: Breymaier, Shannon; Update_List; Patton, Stephen; Darling, Leslie; Rountree, Janey
Subject: Re: Poss. inquiries: CPD/McDonald shooting

Steve and I connected this morning, and if/when asked IPRA would give out the below statement from Scott Ando.

"The City of Chicago takes every incident in which an officer fires their weapon extremely seriously, which is why this agency, an independent, civilian organization, investigates each and every of them. At the outset, we immediately refer every officer-involved shooting to the Cook County State's Attorney, who reviews each case to determine if criminal charges may be appropriate. The shooting that led to Laquan McDonald's death has been and is being investigated by prosecutors, and as a result we cannot offer any further comment."

From: Breymaier, Shannon
Sent: Thursday, April 9, 2015 4:05 PM
To: Collins, Adam; Update_List; Patton, Stephen; Darling, Leslie; Rountree, Janey
Subject: RE: Poss. inquiries: CPD/McDonald shooting

Also, as per normal procedure, DOL will not be commenting on the settlements and will not provide any information about the settlements until after they are presented to the Finance Committee on Monday.

Shannon Breymaier
O: 312-744-9045 C:

CHAIN CONTINUES AS
PREVIOUSLY PRODUCED

From: Peters, Lynda
Sent: Friday, April 10, 2015 11:02 AM
To: Platt, Thomas
Cc: Darling, Leslie; Patton, Stephen; Holden, John
Subject: RE: MEDIA FOIA (15-0366) Request for Records related McDonald

Tom – Let's touch base and then I'll reach out to OEMC. Thanks.

Lynda A. Peters
City Prosecutor
Legal Information, Investigations & Prosecutions Division
City of Chicago Law Department
30 N. LaSalle, Suite 1720
Chicago, IL 60602
312-744-2816

Confidential and privileged communication.

From: Platt, Thomas
Sent: Friday, April 10, 2015 10:44 AM
To: Peters, Lynda; Holden, John
Cc: Darling, Leslie; Patton, Stephen
Subject: FW: MEDIA FOIA (15-0366) Request for Records related McDonald

Dear Lynda and John:

OEMC forwarded the attached FOIA for audio related to the LaQuan McDonald matter, a case which is being presented next week to the finance committee for settlement. They are seeking advice as to how to respond.

From: Antonucci_White, Jill
Sent: Friday, April 10, 2015 10:21 AM
To: Platt, Thomas
Subject: FW: MEDIA FOIA (15-0366) Request for Records related to a Legal Hold

See below request. It's regarding LaQuann Wilson. Please let me know how to respond. Thanks.

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From: OEMCFOIA
Sent: April 10, 2015 10:17 AM
To: Antonucci_White, Jill; Reynolds, Shauntelle
Subject: MEDIA FOIA (15-0366) Request for Records related to a Legal Hold

Hi Jill & Shauntell,

My name is Allegra Martin; I am the Freedom of Information Officer at OEMC. I'm sending you this email to inform you that Chloe Atkins and Don Moseley of NBC are requesting 911 records related to a fatal police shooting that took place on October 20, 2014 under RD # HX475653 at the location of 40th/Pulaski. After completing a search in the Subpoena database, I found that Jill Maderak produced records for you as it relates to this incident. What I need to know is if releasing the 911 records (audio / event queries) will interfere with any pending litigation. Let me know when you get a chance, thanks!

Allegra Martin
Freedom of Information Officer
Office of Emergency Management and Communications
312.746.9113
312.746.9403

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From: Dominguez, Patricia
Sent: Friday, April 10, 2015 12:32 PM
To: Parang, Farzin;Levine, Jeffrey;Breymaier, Shannon;Holden, John
Cc: Darling, Leslie
Subject: April 2015 Finance Committee Settlement Memos
Attachments: Koschman - 04102015.pdf; McDonald - 04102015.pdf; Bruce - 04102015.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Hello,

Attached are the memos for Finance Committee meeting. My apologies for not getting the pdf's to you sooner (our scanners were down).

Thank you.

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From: Collins, Adam
Sent: Friday, April 10, 2015 1:17 PM
To: Rountree, Janey;Maloney, Martin
Subject: RE: Media Inquiry - Mary Mitchell

Follow Up Flag: Follow up
Flag Status: Completed

Marty, I need to circulate this.

Janey, please let me know when you have a minute to connect by phone

From: Rountree, Janey
Sent: Friday, April 10, 2015 1:15 PM
To: Maloney, Martin; Collins, Adam
Subject: RE: Media Inquiry - Mary Mitchell

I think I might strike the sentence below since partially redundant to the last graph. Otherwise Im ok.

We are currently primarily measuring technical issues such as logistics of video uploads, storage requirements, digital evidence content management, and equipment performance during field use, ~~and we will analyze their impact on complaints against officers, prosecutions, civil liability, and the logistics of our own operations as we continue build out the body camera program.~~

From: Maloney, Martin [<mailto:Martin.Maloney@chicagopolice.org>]
Sent: Friday, April 10, 2015 1:02 PM
To: Collins, Adam; Rountree, Janey
Subject: RE: Media Inquiry - Mary Mitchell

I'm good with this. Just changed "29 nine" to 29.
In terms of her other question, will another agency be responding?

From: Collins, Adam [<mailto:Adam.Collins@cityofchicago.org>]
Sent: Friday, April 10, 2015 12:09 PM
To: Maloney, Martin; Rountree, Janey
Subject: RE: Media Inquiry - Mary Mitchell

+Janey

How about this?

The body camera program is an important extension of our community policing efforts. Just as we have worked to build stronger relationships between our hard working officers and the communities they serve, we can use this technology to continue to build the trust that is essential to achieving everyone's shared goal of reducing crime in our neighborhoods.

We launched the first phase of a body camera pilot in the 014th police district with 29 cameras currently being used during the afternoon shift in that district. This phase of the pilot is expected to continue through the end of April.

We are currently primarily measuring technical issues such as logistics of video uploads, storage requirements, digital evidence content management, and equipment performance during field use, and we will analyze their impact on complaints against officers, prosecutions, civil liability, and the logistics of our own operations as we continue build out the body camera program.

We anticipate that the next phase will involve moving the devices to another group of officers and conducting surveys and evaluations of impact on complaints and use of force. We are committed to partnering with community leaders and outside organizations on this important effort, and Dr. Dennis Rosenbaum of the University of Illinois at Chicago will be also working with us on the evaluation process.

From: Maloney, Martin [<mailto:Martin.Maloney@chicagopolice.org>]

Sent: Friday, April 10, 2015 10:28 AM

To: Collins, Adam

Subject: RE: Media Inquiry - Mary Mitchell

We put this "The pilot program is expected to last 45-60 days," in the release when it was supposed to say 90. Anyway, it's attached.

From: Collins, Adam [<mailto:Adam.Collins@cityofchicago.org>]

Sent: Friday, April 10, 2015 10:25 AM

To: Maloney, Martin

Subject: RE: Media Inquiry - Mary Mitchell

Can you send me over the release we did when we announced the pilot please?

From: Maloney, Martin [<mailto:Martin.Maloney@chicagopolice.org>]

Sent: Friday, April 10, 2015 10:19 AM

To: Collins, Adam

Subject: RE: Media Inquiry - Mary Mitchell

I just talked to her. Writing for Sunday about what took place in South Carolina, and how it relates to Chicago. And wants an understanding of why video of something that took place in October has yet to be released.

From: Maloney, Martin

Sent: Friday, April 10, 2015 9:23 AM

To: Collins, Adam

Subject: Media Inquiry - Mary Mitchell

Please see below from Mary Mitchell. Don't you think the response should come from IPRA? In terms of her questions about BWC, here is the proposed answer:

The Department of Police is committed to protecting the safety and welfare of the public as well as its members. Body Worn Cameras (BWCs) can enhance transparency and build trust with the community. The Department has initiated the first phase of a Body Worn Camera pilot in the 014th police district, to analyze and evaluate the impact of BWCs on Department operations, criminal prosecutions, civil liability, and complaints against Department members.

Twenty-nine (29) Taser Body Worn Cameras are currently deployed to the afternoon shift in the 014th district.

This phase of the pilot is primarily measuring technical issues such as logistics of video uploads, storage requirements, digital evidence content management, and equipment performance during field use. The first phase of the pilot is expected to continue through the end of April. We anticipate that the next phase will involve moving the devices to another group of officers and conducting surveys and evaluations of impact on complaints and use of force. Dr. Dennis Rosenbaum of the University of Illinois at Chicago will be working with us on the evaluation process.

From: Mitchell, Mary [<mailto:mmitchell@suntimes.com>]
Sent: Friday, April 10, 2015 8:55 AM
To: Maloney, Martin
Subject: Deadline request

I need to understand why the city has not yet released dash cam video of the fatal shooting of Laquan McDonald. Is there a reason why this video is being kept secret?

Also, what is the timeline for the BWC pilot program. When will the program end. Where are the cameras being used. How is the program being evaluated?

I'm on deadline today, 5 p.m. Would appreciate whatever comments you are able to make.

Thanks

--

SUN-TIMES

Mary Mitchell

Columnist, Editorial Board

p:312-321-2585 | m:312-307-7372

emitchell@suntimes.com w:chicago.suntimes.com

a: 350 N. Orleans 10th Fl Chicago, IL 60654



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From: Collins, Adam
Sent: Friday, April 10, 2015 2:36 PM
To: SALLY DALY (States Attorney)
Subject: RE:

Follow Up Flag: Follow up
Flag Status: Flagged

Hey Sally-

Any word on this?

From: SALLY DALY (States Attorney) [<mailto:sally.daly@cookcountyil.gov>]
Sent: Friday, April 10, 2015 12:30 PM
To: Collins, Adam
Subject: RE:

Adam,

I am going to need a little time to run this down. Please don't distribute until I am back in touch with you. I know you did not intend to release anything for a couple of hours and I will be back in touch by then but just wanted to let you know to wait for my call. Thanks.

Sally Daly

Director of Communications

Cook County State's Attorney's Office

312-603-1839

sally.daly@cookcountyil.gov

From: Collins, Adam [Adam.Collins@cityofchicago.org]
Sent: Friday, April 10, 2015 12:18 PM
To: SALLY DALY (States Attorney)
Subject:

"The City takes it seriously every time an officer fires their weapon, which is why we take two very important steps for each incident: we conduct an independent, civilian led investigation, and we refer each incident to State's Attorney to determine if criminal charges may be appropriate. The shooting that led to Laquan McDonald's death continues to be investigated by prosecutors, and as a result we cannot offer any further comment."

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From: Collins, Adam
Sent: Friday, April 10, 2015 3:53 PM
To: Rountree, Janey; Update_List
Cc: Maloney, Martin (Martin.Maloney@chicagopolice.org)
Subject: RE: Press inquiry: Mary M on McDonald/police shootings

Follow Up Flag: Follow up
Flag Status: Completed

Agreed. Talked to Lisa and we're good with this plus a little background

----- Original message -----

From: "Rountree, Janey" <Janey.Rountree@cityofchicago.org>
Date: 04/10/2015 3:49 PM (GMT-06:00)
To: "Collins, Adam" <Adam.Collins@cityofchicago.org>, Update_List <Update_List@cityofchicago.org>
Cc: "Maloney, Martin (Martin.Maloney@chicagopolice.org)" <Martin.Maloney@chicagopolice.org>
Subject: RE: Press inquiry: Mary M on McDonald/police shootings

I'm good but think we should keep in "by prosecutors."

From: Collins, Adam
Sent: Friday, April 10, 2015 3:36 PM
To: Update_List
Cc: Rountree, Janey; Maloney, Martin (Martin.Maloney@chicagopolice.org)
Subject: RE: Press inquiry: Mary M on McDonald/police shootings

My email was being funky there, not sure if this went through

----- Original message -----

From: "Collins, Adam" <Adam.Collins@cityofchicago.org>
Date: 04/10/2015 3:30 PM (GMT-06:00)
To: Update_List <Update_List@cityofchicago.org>
Cc: "Rountree, Janey" <Janey.Rountree@cityofchicago.org>, "Maloney, Martin (Martin.Maloney@chicagopolice.org)" <Martin.Maloney@chicagopolice.org>
Subject: RE: Press inquiry: Mary M on McDonald/police shootings

Looping back here.

CCSAO would rather we drop "by prosecutors" in the last sentence, though they ultimately understand if we keep it.

The City takes it seriously every time an officer fires their weapon, which is why we take two very important steps for each incident: we conduct an independent, civilian led investigation, and we refer each incident to prosecutors to determine if criminal charges may be appropriate. The shooting that led to Laquan McDonald's death continues to be investigated by prosecutors, and as a result we cannot offer any further comment.

----- Original message -----

From: "Collins, Adam" <Adam.Collins@cityofchicago.org>
Date: 04/10/2015 1:36 PM (GMT-06:00)
To: Update_List <Update_List@cityofchicago.org>
Cc: "Rountree, Janey" <Janey.Rountree@cityofchicago.org>, "Maloney, Martin (Martin.Maloney@chicagopolice.org)" <Martin.Maloney@chicagopolice.org>
Subject: Press inquiry: Mary M on McDonald/police shootings

Mary Mitchell is doing a Sunday column about police shootings and videos. From our conversations with her, we expect the angle to be that the recent officer-involved shooting in SC was caught on tape, and as a result people were able to make a quick determination of what happened and what didn't. Even CPD is becoming more open to video, with the recent body camera pilot program. So why are they keeping the Laquan McDonald video secret?

She's asking about why any video evidence hasn't been released yet, and she's asking about the body camera program – what is the timeline, when will it end, where are they being used, how is it being evaluated?

I think IPRA should use the line on the incident that we discussed already, and would like CPD to use the below from CPD about the body camera program. Also, I let CCSAO know about our comment on McDonald and should hear back from them soon.

Any issues?

FROM CPD

The body camera program is an important extension of our community policing efforts. Just as we have worked to build stronger relationships between our hard working officers and the communities they serve, we can use this technology to continue to build the trust that is essential to achieving everyone's shared goal of reducing crime in our neighborhoods.

We launched the first phase of a body camera pilot in the 014th police district with 29 cameras currently being used during the afternoon shift in that district. This phase of the pilot is expected to continue through the end of April. We are currently primarily measuring technical issues such as logistics of video uploads, storage requirements, digital evidence content management, and equipment performance during field use.

We anticipate that the next phase will involve moving the devices to another group of officers and conducting surveys and evaluations of impact on complaints and use of force. We are committed to partnering with community leaders and outside organizations on this important effort, and Dr. Dennis Rosenbaum of the University of Illinois at Chicago will be also working with us on the evaluation process.

FROM IPRA

The City takes it seriously every time an officer fires their weapon, which is why we take two very important steps for each incident: we conduct an independent, civilian led investigation, and we refer each incident to State's Attorney to determine if criminal charges may be appropriate. The shooting that led to Laquan McDonald's death continues to be investigated by prosecutors, and as a result we cannot offer any further comment.

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From: Merritt, Larry <larry.merritt@iprachicago.org>
Sent: Friday, April 10, 2015 5:24 PM
To: Collins, Adam;Ando, Scott
Subject: Re: Mary M on McDonald

Follow Up Flag: Follow up
Flag Status: Flagged

Thanks to you. Good weekend to you both.

From: Collins, Adam [<mailto:Adam.Collins@cityofchicago.org>]
Sent: Friday, April 10, 2015 05:22 PM
To: Ando, Scott; Merritt, Larry
Subject: Re: Mary M on McDonald

We're good. Thanks to you both, and have a great weekend.

From: Ando, Scott <Scott.Ando@iprachicago.org>
Sent: Friday, April 10, 2015 5:19 PM
To: Merritt, Larry; Collins, Adam
Subject: RE: Mary M on McDonald

Thanks guys.

Adam – I saw you called earlier, but I was in a meeting. If you need anything beyond this, feel free to call me.

Scott M. Ando

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From: Merritt, Larry
Sent: Friday, April 10, 2015 4:37 PM
To: 'adam.collins@cityofchicago.org'; Ando, Scott
Subject: Re: Mary M on McDonald

Mary Mitchell has the statement.

From: Collins, Adam [<mailto:Adam.Collins@cityofchicago.org>]
Sent: Friday, April 10, 2015 03:56 PM
To: Ando, Scott; Merritt, Larry
Subject: Mary M on McDonald

I mentioned this to Larry, but Mary Mitchell is doing a Sunday column about police shootings and videos. From our conversations with her, we expect the angle to be that the recent officer-involved shooting in SC was caught on tape, and as a result people were able to make a quick determination of what happened and what didn't. Even CPD is becoming more open to video, with the recent body camera pilot program. So why are they keeping the Laquan McDonald video secret?

Larry, when she reached out can you send her this statement from Scott?

"The City takes it seriously every time an officer fires their weapon, which is why we take two very important steps for each incident: we conduct an independent, civilian led investigation, and we refer each incident to prosecutors to determine if criminal charges may be appropriate. The shooting that led to Laquan McDonald's death continues to be investigated by prosecutors, and as a result we cannot offer any further comment."

Also, you can tell her off the record that we can't release any evidence of an open investigation

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From: SALLY DALY (States Attorney) <sally.daly@cookcountyil.gov>
Sent: Friday, April 10, 2015 6:42 PM
To: Collins, Adam
Subject: RE: RE:

Follow Up Flag: Follow up
Flag Status: Flagged

OK thanks.

Sally Daly
Director of Communications
Cook County State's Attorney's Office
312-603-1839
sally.daly@cookcountyil.gov

From: Collins, Adam [Adam.Collins@cityofchicago.org]
Sent: Friday, April 10, 2015 6:20 PM
To: SALLY DALY (States Attorney)
Subject: RE:

Hey sally, we're going with this version.

As a heads up, Jeremy Gorner is also asking

----- Original message -----

From: "Collins, Adam" <Adam.Collins@cityofchicago.org>
Date: 04/10/2015 3:02 PM (GMT-06:00)
To: "SALLY DALY (States Attorney)" <sally.daly@cookcountyil.gov>
Subject: RE:

How about if I just do this?

The City takes it seriously every time an officer fires their weapon, which is why we take two very important steps for each incident: we conduct an independent, civilian led investigation, and we refer each incident to prosecutors to determine if criminal charges may be appropriate. The shooting that led to Laquan McDonald's death continues to be investigated by prosecutors, and as a result we cannot offer any further comment.

----- Original message -----

From: "SALLY DALY (States Attorney)" <sally.daly@cookcountyil.gov>
Date: 04/10/2015 12:29 PM (GMT-06:00)
To: "Collins, Adam" <Adam.Collins@cityofchicago.org>
Subject: RE:

Adam,

I am going to need a little time to run this down. Please don't distribute until I am back in touch with you. I know you did not intend to release anything for a couple of hours and I will be back in touch by then but just wanted to let you know to wait for my call. Thanks.

Sally Daly
Director of Communications
Cook County State's Attorney's Office
312-603-1839
sally.daly@cookcountyil.gov

From: Collins, Adam [Adam.Collins@cityofchicago.org]
Sent: Friday, April 10, 2015 12:18 PM
To: SALLY DALY (States Attorney)
Subject:

"The City takes it seriously every time an officer fires their weapon, which is why we take two very important steps for each incident: we conduct an independent, civilian led investigation, and we refer each incident to State's Attorney to determine if criminal charges may be appropriate. The shooting that led to Laquan McDonald's death continues to be investigated by prosecutors, and as a result we cannot offer any further comment."

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From: Collins, Adam
Sent: Friday, April 10, 2015 8:25 PM
To: Rountree, Janey; Schrader, Lisa; Patton, Stephen; Breymaier, Shannon; Update_List; Darling, Leslie
Subject: RE: Poss. inquiries: CPD/McDonald shooting

Follow Up Flag: Follow up
Flag Status: Completed

Unless there are objections, I'll have CPD move this in 15

----- Original message -----

From: "Collins, Adam" <Adam.Collins@cityofchicago.org>
Date: 04/10/2015 7:57 PM (GMT-06:00)
To: "Rountree, Janey" <Janey.Rountree@cityofchicago.org>, "Schrader, Lisa" <Lisa.Schrader@cityofchicago.org>, "Patton, Stephen" <Stephen.Patton@cityofchicago.org>, "Breymaier, Shannon" <Shannon.Breymaier@cityofchicago.org>, Update_List <Update_List@cityofchicago.org>, "Darling, Leslie" <Leslie.Darling@cityofchicago.org>
Subject: RE: Poss. inquiries: CPD/McDonald shooting

Roussell feels strongly that the prosecutor message is valuable but one that should be delivered by IPRA and not CPD. I'm not concerned about dropping that from the cpd line since the Trib will already have it from IPRA.

I talked to Janey and she agrees. Any issues with just this from police?

The officer has been stripped of his police powers and put on desk duty pending the outcome of the investigation.

----- Original message -----

From: "Rountree, Janey" <Janey.Rountree@cityofchicago.org>
Date: 04/10/2015 7:24 PM (GMT-06:00)
To: "Collins, Adam" <Adam.Collins@cityofchicago.org>, "Schrader, Lisa" <Lisa.Schrader@cityofchicago.org>, "Patton, Stephen" <Stephen.Patton@cityofchicago.org>, "Breymaier, Shannon" <Shannon.Breymaier@cityofchicago.org>, Update_List <Update_List@cityofchicago.org>, "Darling, Leslie" <Leslie.Darling@cityofchicago.org>
Subject: Re: Poss. inquiries: CPD/McDonald shooting

I'm fine with that

From: Collins, Adam
Sent: Friday, April 10, 2015 6:50 PM
To: Schrader, Lisa; Patton, Stephen; Breymaier, Shannon; Update_List; Darling, Leslie; Rountree, Janey
Subject: RE: Poss. inquiries: CPD/McDonald shooting

How about prosecutors and IPRA? If prosecutors were to actually decline charges he could still be fired

----- Original message -----

From: "Schrader, Lisa" <Lisa.Schrader@cityofchicago.org>
Date: 04/10/2015 6:44 PM (GMT-06:00)
To: "Collins, Adam" <Adam.Collins@cityofchicago.org>, "Patton, Stephen" <Stephen.Patton@cityofchicago.org>, "Breymaier, Shannon" <Shannon.Breymaier@cityofchicago.org>, Update_List <Update_List@cityofchicago.org>, "Darling, Leslie" <Leslie.Darling@cityofchicago.org>, "Rountree, Janey" <Janey.Rountree@cityofchicago.org>
Subject: RE: Poss. inquiries: CPD/McDonald shooting

I would say the "prosecutors investigation" if we can. If not ok.

From: Collins, Adam
Sent: Friday, April 10, 2015 6:35 PM
To: Patton, Stephen; Breymaier, Shannon; Update_List; Darling, Leslie; Rountree, Janey
Subject: RE: Poss. inquiries: CPD/McDonald shooting

Jeremy is also asking the status of the officer. CPD will say this:

The officer has been stripped of his police powers and put on desk duty pending the outcome of the independent investigation.

----- Original message -----

From: "Collins, Adam" <Adam.Collins@cityofchicago.org>
Date: 04/10/2015 6:24 PM (GMT-06:00)
To: "Patton, Stephen" <Stephen.Patton@cityofchicago.org>, "Breymaier, Shannon" <Shannon.Breymaier@cityofchicago.org>, Update_List <Update_List@cityofchicago.org>, "Darling, Leslie" <Leslie.Darling@cityofchicago.org>, "Rountree, Janey" <Janey.Rountree@cityofchicago.org>
Subject: RE: Poss. inquiries: CPD/McDonald shooting

Fyi, Jeremy Gorner ay the Tribune just asked IPRA about the McDonald settlement.

IPRA is giving him the statement we approved

The City takes it seriously every time an officer fires their weapon, which is why we take two very important steps for each incident: we conduct an independent, civilian led investigation, and we refer each incident to

prosecutors to determine if criminal charges may be appropriate. The shooting that led to Laquan McDonald's death continues to be investigated by prosecutors, and as a result we cannot offer any further comment.

----- Original message -----

From: "Patton, Stephen" <Stephen.Patton@cityofchicago.org>

Date: 04/10/2015 11:21 AM (GMT-06:00)

To: "Collins, Adam" <Adam.Collins@cityofchicago.org>, "Breymaier, Shannon"

<Shannon.Breymaier@cityofchicago.org>, Update_List <Update_List@cityofchicago.org>, "Darling, Leslie"

<Leslie.Darling@cityofchicago.org>, "Rountree, Janey" <Janey.Rountree@cityofchicago.org>

Subject: Re: Poss. inquiries: CPD/McDonald shooting

Good here.

From: Collins, Adam

Sent: Friday, April 10, 2015 10:02:47 AM

To: Breymaier, Shannon; Update_List; Patton, Stephen; Darling, Leslie; Rountree, Janey

Subject: RE: Poss. inquiries: CPD/McDonald shooting

Clo and I did some work to tighten the statement. Any issues with this?

"The City takes it seriously every time an officer fires their weapon, which is why we take two very important steps for each incident: we conduct an independent, civilian led investigation, and we refer each incident to State's Attorney to determine if criminal charges may be appropriate. The shooting that led to Laquan McDonald's death continues to be investigated by prosecutors, and as a result we cannot offer any further comment."

From: Collins, Adam

Sent: Friday, April 10, 2015 8:46 AM

To: Breymaier, Shannon; Update_List; Patton, Stephen; Darling, Leslie; Rountree, Janey

Subject: Re: Poss. inquiries: CPD/McDonald shooting

Steve and I connected this morning, and if/when asked IPRA would give out the below statement from Scott Ando.

"The City of Chicago takes every incident in which an officer fires their weapon extremely seriously, which is why this agency, an independent, civilian organization, investigates each and every of them. At the outset, we

immediately refer every officer-involved shooting to the Cook County State's Attorney, who reviews each case to determine if criminal charges may be appropriate. The shooting that led to Laquan McDonald's death has been and is being investigated by prosecutors, and as a result we cannot offer any further comment."

From: Breymaier, Shannon
Sent: Thursday, April 9, 2015 4:05 PM
To: Collins, Adam; Update_List; Patton, Stephen; Darling, Leslie; Rountree, Janey
Subject: RE: Poss. inquiries: CPD/McDonald shooting

Also, as per normal procedure, DOL will not be commenting on the settlements and will not provide any information about the settlements until after they are presented to the Finance Committee on Monday.

Shannon Breymaier

O: 312-744-9045 C: 312-859-2719

Shannon.Breymaier@cityofchicago.org

From: Collins, Adam
Sent: Thursday, April 09, 2015 3:58 PM
To: Update_List; Patton, Stephen; Darling, Leslie; Rountree, Janey
Subject: Poss. inquiries: CPD/McDonald shooting

On Monday the finance committee will be hearing a proposed settlement in the officer-involved shooting involving Laquan McDonald. The meeting will be posted at 4 pm today, and we may get inquiries - particularly given the national interest in this topic. This incident has already gotten some media attention in the past few months, mostly from people calling for any video evidence to be released. Previously CPD and IPRA have just said that the incident is under investigation and they can't comment.

I spoke with a few folks already, and I think we should point any inquiries to IPRA, who could give the below statement from Scott Ando. Let me know what you think.

"The City of Chicago takes every incident in which an officer fires their weapon extremely seriously, which is why this agency, an independent, civilian organization, investigates each and every of them. At the outset, we immediately refer every officer-involved shooting to state prosecutors, who review the case to determine if criminal charges may be appropriate. The shooting that led to Laquan McDonald's death has been and is being investigated by prosecutors, and as a result we cannot offer any further comment."

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From: Holden, John
Sent: Monday, April 13, 2015 11:40 AM
To: Patton, Stephen;Darling, Leslie;Breymaier, Shannon
Subject: FW: Mary Mitchell

FYI – Mary Mitchell has also reached out to me to see if she can get a general statement from the Law Department on why we settled the L.M. case. In light of Larry Merritt’s message below, I think our statement would be along the lines of:

“The Department of Law recommended settlement of the McDonald case in consultation with attorneys for his estate and because we believe that it was the most equitable and expeditious solution to resolving any possible claims. The settlement has no bearing on independent and ongoing investigations underway by both state and federal authorities.”

I look forward to your thoughts.

p.s. I told Channel 2’s Dana Koslov that Steve would not be available for an on camera interview today. Channel 2 had a camera man in chambers for most of the Steve’s presentation but Dana did not get there until after. She had a few basic questions about the McDonald case and I said I thought most of them would be answered by looking at the tape of the counsel presentation. By the way, that was the only video camera in Council chambers during Steve’s presentation, though Fran and Jeremy Gorner both got short video of Steve talking during the q&a in which he was giving very solid answers to some basic questions.

Summary of the Q&A coming shortly.

From: Merritt, Larry [<mailto:larry.merritt@iprachicago.org>]
Sent: Monday, April 13, 2015 11:27 AM
To: Collins, Adam; Holden, John; Ando, Scott
Subject: Mary Mitchell

Mary Mitchell called regarding the Laquan McDonald case; status at IPRA; is the SAO or Feds looking at the case; why would the City settle?

I explained the case at IPRA is pending; the SAO is looking at the case as they do with all OIS cases; I told her she would have to reach out to Law as to why the City would settle or go to trial for any case; and lastly she claimed to not know that IPRA didn’t conduct a criminal investigation. I explained that IPRA’s process is administrative and that the SAO process is a criminal process – all of which I’m sure that I’ve explained to Mary before.

Larry L. Merritt
Director of Community Outreach & Engagement
Independent Police Review Authority
1615 W. Chicago Avenue, 4th Floor
Chicago, IL 60622
(312) 746-3609

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From: Holden, John
Sent: Monday, April 13, 2015 12:25 PM
To: Patton, Stephen;Darling, Leslie;Breymaier, Shannon
Subject: S-T LM story

State and federal investigation under way of deadly police shooting that costs taxpayers \$5 million

Posted: 04/13/2015, 11:56am | [Fran Spielman](#)



Corporation
Counsel Stephen Patton talks to reporters after Monday's Finance Committee meeting about the \$5 million settlement to the family of a black teenager shot 16 times by a Chicago Police officer. | Fran Spielman/Sun-Times Media

A City Council Committee agreed Monday to pay \$5 million to the family of a black teenager shot 16 times by a Chicago Police officer — even before a lawsuit was filed — amid word that the fatal shooting of Laquan McDonald is the subject of a state and federal investigation.

Corporation Counsel Stephen Patton disclosed the existence of a “pending and active” state and federal investigation of the October 20, 2014, shooting as he justified the unusual settlement before a lawsuit was filed.

The shooting followed a police chase that ensued after a man called 911 to report that a knife-wielding offender had threatened him and was attempting to break into vehicles in an Archer Heights trucking yard at 41st and Kildare.

Two police officers responded to the call and found the alleged offender, subsequently identified as 17-year-old Laquan McDonald, about a block away holding a knife in his right hand, Patton said.

When McDonald was ordered to show his hands, the knife was visible, Patton said. When the teenager was ordered to drop the knife, he ignored the demand and kept walking along 40th Street toward Pulaski away from the officers.

Patton then described a chase that saw one of the officers follow McDonald on foot “kind of beside” the teenager while the other officer followed behind in a marked squad car and called a dispatcher to request a back-up unit with a Taser.

The chase continued until McDonald neared Pulaski, potentially endangering civilians. That’s when the officer in the squad car pulled in front of the teenager to block his path. According to Patton, McDonald responded by using the knife to puncture one of the squad car’s front tires and struck the windshield with a knife before continuing through a Burger King parking lot and onto Pulaski.

By that point, two additional squad cars reported to the scene, one of them equipped with a dashboard camera that recorded the deadly shooting. The squad car with the camera followed behind McDonald.

The other squad car pulled up beside, then in front of the teenager and both officers jumped out with their guns drawn. One of those two officers then opened fire and shot McDonald 16 times, all of it captured on videotape.

The shooting officer contends that McDonald was moving toward him and that he opened fire to protect himself.

Plaintiffs attorneys have countered that the teenager was continuing to walk away from police at the time of the shooting, that the video supports that version of events and that McDonald posed no imminent threat because there were no pedestrians or vehicles nearby at the time of the shooting.

“This is kind of a unique case, where we had the original two officer who arrived at the scene, followed Mr. McDonald for some number of blocks and matter of minutes and never saw fit to discharge their weapons. It also applies to [the shooter’s] partner, who was right beside him when they exited the police vehicle, also got out of the police car with guns drawn but did not shoot,” Patton told the Finance Committee Monday.

Noting that the family initially demanded \$16 million, the corporation counsel said, “So, the plaintiffs will contend, if this matter were not resolved, that the unreasonableness of Officer A’s conduct is shown by the restraint that was shown by the other five officers, none of whom discharged their weapons.”

Although McDonald had an “extensive juvenile record,” Patton said he had recently secured a summer job through a church social agency. Just a month before the shooting, he had also enrolled in the Sullivan Alternative School for troubled youth, where his mentor was prepared to testify that McDonald had good grades at the time of his death and was “making progress in turning his life around.”

When West Side Ald. Jason Ervin (28th) demanded to know what discipline had been meted out to the officer who fired the 16 shots that killed McDonald, Patton noted that the Independent Police Review Authority was not alone in investigating the case.

“This is a matter that’s under active current criminal investigation by both federal and state law enforcement authorities,” Patton said.

Under further questioning, Patton acknowledged that not all police officers carry Tasers. That prompted Finance Committee Chairman Edward Burke (14th), a former Chicago Police officer, to say, “I believe that, at one time, they were sergeants only that had the Tasers but, in the ensuing years, now it’s a weapon that’s optional for the officer to carry.”

He added, “It would appear that, had the Taser been available in this case, maybe the taxpayers wouldn’t be shelling out \$5 million.”

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From: Holden, John
Sent: Monday, April 13, 2015 12:46 PM
To: Patton, Stephen;Darling, Leslie;Breymaier, Shannon
Subject: Trib LM story

Feds investigating death of teen shot 16 times by Chicago cop



Police redirect traffic near the 4100 block of South Pulaski Road where a 17-year-old boy was fatally shot by police. (Quinn Ford / Chicago Tribune)

By [Jeremy Gornier](#) Chicago Tribune [contact the reporter](#)

- [Crime](#)
- [Shootings](#)

City seeks to settle police shooting case before federal lawsuit is filed.

Federal authorities have joined in the criminal probe of a Chicago police officer who shot a teenager 16 times last October, killing him, a city official said Monday.

Corporation Counsel Stephen Patton made the disclosure while recommending to the City Council's Finance Committee a settlement of \$5 million in the death of Laquan McDonald, who was 17. The City Council will take up the issue Wednesday after the Finance Committee endorsed the settlement.



[U of C professor: Release police shooting video](#)

The U.S. attorney's office in Chicago has joined with the Cook County state's attorney's office in the investigation into McDonald's fatal shooting, Patton said.

The teen was shot 16 times outside a fast-food restaurant on the Southwest Side on Oct. 20 after police responded to a call about a man wielding a knife, city officials said.

In a briefing for reporters after the hearing, Patton said dashboard camera footage of the shooting was crucial to the city's decision to settle the case before a federal lawsuit was filed. He said lawyers for the family initially sought \$16 million.

[cComments](#)

- @Jeaux Mama I agree. We should just arm the police with AK-47s and encourage them to unload full banana clips on the public instead of addressing how cowardly some of their actions are. I mean, just because someone gets shot 16 times doesn't mean they can't get back up and strike fear...

Gean McHamilton

at 12:34 PM April 13, 2015

[Add a comment](#) [See all comments](#)

[3](#)

"We consider his case like we consider every case based on all the evidence, all the facts, and it included the video, yes," Patton said. "Here that was an important part of the evidence."

McDonald's family has not filed a lawsuit, but his mother, Tina Hunter, is the administrator of her son's estate in Cook County probate court.

According to accounts given by Chicago police and the Fraternal Order of Police at the time of the shooting, McDonald wielded a knife when officers confronted him about attempted car break-ins near 40th Street and Karlov Avenue in the Archer Heights neighborhood.



[Cops: Boy, 17, fatally shot by officer after refusing to drop knife](#)

FOP spokesman Pat Camden said McDonald ignored officers' commands to drop the knife as he walked toward Pulaski Road. More officers arrived, and police tried to box the teen in with two squad cars. Camden said McDonald punctured one squad car's front passenger-side tires and damaged the front windshield.

Officers got out of their car and started to approach McDonald, telling him again to drop the knife, Camden said. One of the officers opened fire, he said, when McDonald lunged at them. The teen was pronounced dead at Mount Sinai Hospital about an hour later.

A spokesman for the Cook County medical examiner's office said the autopsy found that McDonald suffered wounds to his chest, neck, back, arms and right leg.

Martin Maloney, a spokesman for police Superintendent Garry McCarthy, has said that the officer who shot McDonald has been stripped of his police powers and put on paid desk duty pending the outcome of the investigation.

The identity of the officer has not been made public.

jgorner@tribpub.com

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From: Holden, John
Sent: Monday, April 13, 2015 2:38 PM
To: Patton, Stephen;Darling, Leslie;Breymaier, Shannon
Cc: Franklin, Liza;Platt, Thomas
Subject: DNA Info story on LM

Lawyer for Teen Killed By Police Poised to Say Video Shows Him Walking Away



By [Ted Cox](#) | April 13, 2015 12:17pm
[@tedcoxchicago](#)

[Twitter](#) [Facebook](#) [Email](#) [More](#)



Corporation Counsel Stephen Patton said the settlements

were in "the best interests of the city." **[View Full Caption](#)**

DNAinfo/Ted Cox

CITY HALL — Lawyers for a teen shot 16 times by Chicago Police are prepared to argue that a dashboard camera video shows LaQuan McDonald was walking away when he was killed, the city's top lawyer said Monday.

Meanwhile, city Corporation Counsel Steve Patton also disclosed that there are pending federal and state investigations into the shooting.

Patton said what preceded the Oct. 20 shooting of the 17-year-old is in dispute. The unnamed officer involved said he was "in fear of his life" as the teen advanced on him with a knife, Patton said.

Still, the city is moving forward with a \$5 million settlement with McDonalds' family, who had initially sought \$16 million. The name of the officer, who is also being investigated by the Independent Police Review Authority, was not disclosed. Patton said that is stipulated in the city's union pact with the Fraternal Order of Police.

A City Council committee moved Monday to approve the \$5 million payment to settle the case.

Patton told the committee Monday that although the officer said he was in fear for his life, lawyers for McDonalds' family would argue, that dashboard-camera video would show him walking away from the officers and that "deadly force was not justified."



Ald. Edward Burke said for the want of a Taser \$5 million was lost. **View Full Caption**

DNAinfo/Ted Cox

"What preceded the shooting is disputed," Patton said.

The settlement, if approved by the full City Council later this week, would go to the mother and 15-year-old sister of McDonald, who was 17 when he was [shot](#) in the Archer Heights neighborhood.

According to Patton, Chicago Police officers responded on the evening of Oct. 20 to a report of a break-in at a truck yard at 41st Street and Kildare Avenue by a man wielding a knife.

Two officers followed a suspect who appeared to have a knife down a nearby street — one on foot, the other in a squad car.

Patton testified before the Finance Committee Monday that when the squad tried to block him off as he neared Pulaski Road, the suspect stabbed a car tire and continued on. When another squad car pulled up and attempted to block him off, an unnamed officer emerged from the car and shot the suspect 16 times.

Patton said McDonald had an "extensive juvenile record" of committing crimes, but that "the proposed settlement is in the best interests of the city" for a number of reasons.

Patton said the first two officers to respond had requested backup with a Taser, as neither had a Taser.

"It would appear that, if a Taser had been available in this case, the taxpayers wouldn't be shelling out \$5 million," said Ald. Edward Burke (14th), chairman of the Finance Committee.

Patton said it would also argue against the officer that two other police officers tailed the teen for blocks without attempting to halt him by force, that they called for a Taser and that none of the five other officers on the scene fired any shots.

Patton said there are pending federal and state investigations against the shooting officer, as well as an Independent Police Review Authority probe, but that he cannot be named, as stipulated the city's union pact with the Fraternal Order of Police, until formal charges are filed.

The committee also approved a \$250,000 settlement for Nanci Koschman, mother of [David Koschman](#), the 21-year-old Mount Prospect man killed in a 2004 fight outside a bar with Richard J. Vanecko, a nephew of then-Mayor Richard M. Daley.

The Koschmans long charged a cover-up, and Vanecko eventually pleaded guilty to manslaughter charges a year ago after the case had been reopened. Nanci Koschman's subsequent civil suit against the city was thrown out by a court judge, but Patton argued that, if that verdict were overturned on appeal, the city would spend far more than \$250,000 just on legal costs defending the 21 defendants named in the suit.

"The damages could be substantial," Patton said, adding the settlement "makes sense" and offers "closure" to Nanci Koschman, whom he called "a sympathetic plaintiff."

The settlements go to the full City Council for final approval Wednesday.

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From: Ando, Scott <Scott.Ando@iprachicago.org>
Sent: Monday, April 13, 2015 4:25 PM
To: Rountree, Janey;adam.collins@cityofchicago.org
Cc: Merritt, Larry
Subject: FW: U.S. ATTORNEY'S OFFICE AND COOK COUNTY STATE'S ATTORNEY'S OFFICE CONDUCTING JOINT INVESTIGATION OF POLICE SHOOTING DEATH
Attachments: mcdonald.statement.pdf
Follow Up Flag: Follow up
Flag Status: Completed

FYI

Scott M. Ando

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From: Nerheim, Kimberly (USAILN) [<mailto:Kimberly.Nerheim@usdoj.gov>]
Sent: Monday, April 13, 2015 4:05 PM
To: Ando, Scott
Subject: U.S. ATTORNEY'S OFFICE AND COOK COUNTY STATE'S ATTORNEY'S OFFICE CONDUCTING JOINT INVESTIGATION OF POLICE SHOOTING DEATH

April 13, 2015

**U.S. ATTORNEY'S OFFICE AND COOK COUNTY STATE'S ATTORNEY'S OFFICE
CONDUCTING JOINT INVESTIGATION OF POLICE SHOOTING DEATH**

CHICAGO — Federal officials confirmed today that they are conducting a criminal investigation into the death of Laquan McDonald, 17, who died on Oct. 20, 2014, during an encounter with Chicago Police. McDonald, who was armed with a knife, was near West 41st Street and South Pulaski Road on the city's southwest side, when he was shot and killed during an encounter with police.

United States Attorney Zachary T. Fardon confirmed the investigation along with FBI Special Agent in Charge Robert J. Holley and Cook County State's Attorney Anita Alvarez. The joint investigation is being led by the Chicago Office of the Federal Bureau of Investigation in coordination with the Independent Police Review Authority, the U.S. Attorney's Office, and the Cook County State's Attorney's Office.

###

Public Information Office
U.S. Attorney's Office, Chicago
Northern District of Illinois
[312-353-5318](tel:312-353-5318)
USAILN.PublicInformationOffice@usa.doj.gov
www.justice.gov/usao/iln
@NDILnews



U.S. Department of Justice

*United States Attorney
Northern District of Illinois*

Zachary T. Fardon
United States Attorney

Everett McKinley Dirksen United States Courthouse
219 South Dearborn Street, Fifth Floor
Chicago, Illinois 60604
(312) 353-5300

FOR IMMEDIATE RELEASE

APRIL 13, 2015

**U.S. ATTORNEY'S OFFICE AND COOK COUNTY STATE'S ATTORNEY'S OFFICE
CONDUCTING JOINT INVESTIGATION OF POLICE SHOOTING DEATH**

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United States Attorney Zachary T. Fardon confirmed the investigation along with FBI Special Agent in Charge Robert J. Holley and Cook County State's Attorney Anita Alvarez. The joint investigation is being led by the Chicago Office of the Federal Bureau of Investigation in coordination with the Independent Police Review Authority, the U.S. Attorney's Office, and the Cook County State's Attorney's Office.

###

From: Maloney, Martin <Martin.Maloney@chicagopolice.org>
Sent: Monday, April 13, 2015 5:25 PM
To: Collins, Adam
Subject: RE: Media Inquiry - Chicago Tribune

Follow Up Flag: Follow up
Flag Status: Flagged

Thanks man, sorry to pester. Enjoy the game.

-----Original Message-----

From: Collins, Adam [<mailto:Adam.Collins@cityofchicago.org>]
Sent: Monday, April 13, 2015 5:21 PM
To: Maloney, Martin
Subject: Re: Media Inquiry - Chicago Tribune

fine

From: Maloney, Martin <Martin.Maloney@chicagopolice.org>
Sent: Monday, April 13, 2015 5:11 PM
To: Collins, Adam
Subject: RE: Media Inquiry - Chicago Tribune

Pinging you again on this just to be annoying. What are your thoughts?

-----Original Message-----

From: Maloney, Martin
Sent: Monday, April 13, 2015 4:28 PM
To: 'Collins, Adam'
Subject: Media Inquiry - Chicago Tribune

Jeremy is asking when the officer was stripped. The answer was October 29.
Thoughts on sharing that?
Thanks.

-----Original Message-----

From: Gorner, Jeremy [<mailto:jgorner@chicagotribune.com>]
Sent: Monday, April 13, 2015 4:24 PM
To: Maloney, Martin
Subject: Laquan McDonald investigation.

Hey Marty,

I know you told me the officer who fired the shots in the Laquan McDonald case is stripped of his powers and assigned to desk duty.

But do you know EXACTLY WHEN the officer was stripped and taken off the street?

J.

Sent from my iPhone

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From: Breymaier, Shannon
Sent: Monday, April 13, 2015 5:41 PM
To: Holden, John
Cc: Darling, Leslie
Subject: RE: Mary Mitchell

[REDACTED]

Shannon Breymaier
O: 312-744-9045 C: 312-859-2719
Shannon.Breymaier@cityofchicago.org

From: Holden, John
Sent: Monday, April 13, 2015 5:40 PM
To: Breymaier, Shannon
Subject: FW: Mary Mitchell

[REDACTED]

From: Holden, John
Sent: Monday, April 13, 2015 11:40 AM
To: Patton, Stephen; Darling, Leslie; Breymaier, Shannon
Subject: FW: Mary Mitchell

FYI – Mary Mitchell has also reached out to me to see if she can get a general statement from the Law Department on why we settled the L.M. case. [REDACTED]

From: Merritt, Larry [<mailto:larry.merritt@prachicago.org>]
Sent: Monday, April 13, 2015 11:27 AM

To: Collins, Adam; Holden, John; Ando, Scott

Subject: Mary Mitchell

Mary Mitchell called regarding the Laquan McDonald case; status at IPRA; is the SAO or Feds looking at the case; why would the City settle?

I explained the case at IPRA is pending; the SAO is looking at the case as they do with all OIS cases; I told her she would have to reach out to Law as to why the City would settle or go to trial for any case; and lastly she claimed to not know that IPRA didn't conduct a criminal investigation. I explained that IPRA's process is administrative and that the SAO process is a criminal process – all of which I'm sure that I've explained to Mary before.

Larry L. Merritt

Director of Community Outreach & Engagement

Independent Police Review Authority

1615 W. Chicago Avenue, 4th Floor

Chicago, IL 60622

(312) 746-3609

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From: Holden, John
Sent: Monday, April 13, 2015 6:22 PM
To: Breymaier, Shannon;Patton, Stephen;Darling, Leslie;Notz, Jane;Collins, Adam
Subject: RE: LM Settlement Follow Up

Fran's S-T story was also updated with info about the FBI, so the Feds must be putting something out there that presumably is correct. I don't know that we need to do anything more on our end.

A City Council Committee agreed Monday to pay \$5 million to the family of a black teenager shot 16 times by a Chicago Police officer — even before a lawsuit was filed — amid word that the fatal shooting of Laquan McDonald is the subject of an FBI investigation.

Corporation Counsel Stephen Patton disclosed the existence of a “pending and active” state and federal investigation of the October 20, 2014, shooting as he justified the unusual settlement before a lawsuit was filed. In a statement issued Monday afternoon, the U.S. Attorney's office confirmed that the FBI office in Chicago was leading the investigation “in coordination with the Independent Police Review Authority, the U.S. Attorney's Office, and the Cook County State's Attorney's Office.”

From: Breymaier, Shannon
Sent: Monday, April 13, 2015 6:18 PM
To: Holden, John; Patton, Stephen; Darling, Leslie; Notz, Jane; Collins, Adam
Subject: Re: LM Settlement Follow Up

It is DOJ, not FBI, right? Do we need to correct them?

From: Holden, John
Sent: Monday, April 13, 2015 6:09:42 PM
To: Patton, Stephen; Darling, Leslie; Notz, Jane; Breymaier, Shannon; Collins, Adam
Subject: LM Settlement Follow Up

Channel 7 just ran a short “reader” about the McDonald settlement and ended by saying “the FBI also confirming today that they have opened up an investigation.”

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From: Holden, John
Sent: Monday, April 13, 2015 6:38 PM
To: Patton, Stephen;Darling, Leslie;Notz, Jane
Cc: Breymaier, Shannon;Collins, Adam
Subject: Revised Trib LM story

FYI - Revised Tribune story posted late Monday afternoon has Fardon on the record.

Feds investigating death of teen shot 16 times by Chicago cop



Police redirect traffic near the 4100 block of South Pulaski Road where Laquan McDonald, inset, was fatally shot by police.

Federal authorities confirmed Monday they are leading a criminal probe of a Chicago police officer who shot a knife-wielding teenager 16 times last October, killing him.



[U of C professor: Release police shooting video](#)

The joint investigation into the death of Laquan McDonald, 17, is being led by the FBI in coordination with federal prosecutors, the Independent Police Review Authority and the Cook County state's attorney's office, according to a statement Monday afternoon by U.S. Attorney [Zachary Fardon](#).

City Corporation Counsel Stephen Patton first disclosed the ongoing probe Monday morning while recommending to the City Council's Finance Committee a settlement of \$5 million in McDonald's death. The Finance Committee endorsed the settlement, and the City Council will take up the issue Wednesday.

The teen was shot 16 times outside a fast-food restaurant on the Southwest Side on Oct. 20 after police responded to a call about a man wielding a knife, city officials said.

In a briefing for reporters after the hearing, Patton said dashboard camera footage of the shooting was crucial to the city's decision to settle the case before a federal lawsuit was filed. He said lawyers for the family initially sought \$16 million.

During the hearing, Patton said the officer who fired all 16 shots said he was in fear for his life. But Patton noted that lawyers for the teen would question why none of the other five officers on the scene opened fire.



[Cops: Boy, 17, fatally shot by officer after refusing to drop knife](#)

Furthermore, lawyers for McDonald's family contend "very vehemently" that the videotape shows that McDonald was walking away from police when the lone officer fired the 16 shots, Patton said.

McDonald's family has not filed a lawsuit, but his mother, Tina Hunter, is the administrator of her son's estate in Cook County probate court.

According to accounts given by Chicago police and the Fraternal Order of Police at the time of the shooting, McDonald wielded a knife when officers confronted him about attempted car break-ins near 40th Street and Karlov Avenue in the Archer Heights neighborhood.

[cComments](#)

- @jrctmc I agree.

Joe Ano

at 6:23 PM April 13, 2015

[Add a comment](#) [See all comments](#)

[76](#)

FOP spokesman Pat Camden said McDonald ignored officers' commands to drop the knife as he walked toward Pulaski Road. More officers arrived, and police tried to box the teen in with two squad cars. Camden said McDonald punctured one squad car's front passenger-side tires and damaged the front windshield.

Officers got out of their car and started to approach McDonald, telling him again to drop the knife, Camden said. One of the officers opened fire, he said, when McDonald lunged at them. The teen was pronounced dead at Mount Sinai Hospital about an hour later.

A spokesman for the Cook County medical examiner's office said an autopsy found that McDonald suffered wounds to his chest, neck, back, arms and right leg.

Martin Maloney, a spokesman for police Superintendent Garry McCarthy, has said that the officer who shot McDonald has been stripped of his police powers and put on paid desk duty pending the outcome of the investigation.

The identity of the officer has not been made public. Patton said the city's collective bargaining agreement with the FOP bars officers involved in shootings from being named until they are identified as part of a criminal or other proceedings.

Chicago Tribune reporter Jason Meisner contributed.

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From: Holden, John
Sent: Monday, April 13, 2015 6:46 PM
To: Patton, Stephen;Darling, Leslie;Breymaier, Shannon;Collins, Adam;Notz, Jane
Subject: Mary Mitchell's column just posted

I am not sure that our getting back to her with anything would have gotten her to change much here. She really did not address the issue of what impact the settlement may or may not have on the criminal investigations.

[Opinion](#)

Videotape stays under wraps in fatal shooting of black teen by Chicago cop

Posted: 04/13/2015, 06:29pm | [Mary Mitchell](#)



Laquan McDonald, 17, was fatally shot by a Chicago Police officer in October 2014. | Provided photo

Although Laquan McDonald appears to have had a life far too challenging for a 17-year-old, I believe his mother should be compensated for what happened to him.

McDonald was fatally shot last October by a Chicago police officer who claimed the teenager slashed the tires on a police squad car and threatened officers with a knife. An autopsy determined his body had 16 bullet holes.

But \$5 million can also buy a lot of silence.

OPINION

As it is, the city has been able to keep this police-involved shooting shrouded in secrecy.

The identity of the police officer who shot McDonald multiple times remains a mystery even though he was stripped of his police powers and put on desk duty.

And a dash-cam video that purportedly shows the Oct. 20, 2014, shooting also has been kept under wraps.

The fatal shooting also raises questions about police training. Although at least five police officers were on the scene, apparently none of the officers was equipped with a Taser.

Despite the uproar over police-involved fatalities elsewhere, McDonald's death went virtually unnoticed here.

Indeed, there weren't any outraged protesters outside City Hall demanding that the Chicago Police Department provide answers about this teen's death.

"We did a candlelight vigil for him and a couple of family members and some people who worked with me were the only ones who showed up," said Shawn Parker, the social worker who mentored McDonald during the months leading up to his death.

City Corporation Counsel Stephen Patton revealed on Monday that this police shooting is being investigated by state and federal authorities.

But the \$5 million settlement that the City Council is expected to approve on Wednesday almost ensures that the videotape will stay locked away.

That's unfortunate.

Authorities can take up to a year to sort out a police-involved shooting. Meanwhile, these unresolved cases erode what little trust there is between the community and police officers.

The multimillion-dollar payout in this case is evidence that something went terribly wrong that night.

"It is a case that the city had serious concerns about major liability," said Craig Futterman, the founder of the Civil Rights and Police Accountability Clinic at the University of Chicago, the organization that has pressured the city to release the video.

"It may also indicate their fear of the video coming out in a public trial. It is basically hush money," he said.

But rather than McDonald's case ending in obscurity, Futterman believes the case could be a catalyst for change.

"I am not aware of a single incidence in which a Chicago police officer has ever been criminally prosecuted for an on-duty shooting of another person. This could wind up being something quite historic," he said.

Parker said there are still a lot of unanswered questions, and the video might help answer some of them.

"As far as what they do with the a civil suit, I don't have anything to say about that. The family needs justice to be done," Parker said. "But I would like them to show the videotape. I don't know any young black male who is going to run up on a police car to stab a tire or break the glass and run off."

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From: Breymaier, Shannon
Sent: Tuesday, April 14, 2015 9:31 AM
To: Collins, Adam;PRESS_LIST
Subject: RE: Q&A

Need to add Burke strip club rule 41.

Shannon Breymaier
O: 312-744-9045 C: 312-859-2719
Shannon.Breymaier@cityofchicago.org

From: Collins, Adam
Sent: Tuesday, April 14, 2015 9:14 AM
To: PRESS_LIST
Subject: Q&A

Hey everyone-

It's been weeks since we had an official press conference and I'll be drafting the Q&A document this morning. Given that it's been a while, and there are a number of things moving, I'd like to send it around and have it in his book tonight. Can you please send me your items by 1:00?

Here's what I have - anything missing?

ANDY

- CDA head
- ORD runways Hilk or ST follow ups (have the generic, could use something on Hilk)

CATHERINE

- CTU negotiations
- Charter applications

CHLOE

- Morita confirmation
- Mental health

EVE

- Spike Lee movie (have)

LIBBY

- Right to work/what does this mean for working with Rauner
- Rauner reax - bankruptcy, not offering much (have)
- Rauner reax - casino (have)
- Pensions/finances (have, unless there's anything new we want to say)

SHANNON

- NFL draft goings on
- Council chairs (have)
- Laquan McDonald/why not release video (have)
- Koschman (have)
- Obama Library (have, unless there's anything new to say)

ADAM

- Burge reparations
- Officer-involved shootings/police discipline
- Transition (have)
- Chuy (have)

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From: Collins, Adam
Sent: Tuesday, April 14, 2015 9:43 AM
To: Langsdorf, Elizabeth;PRESS_LIST
Subject: RE: Q&A

Follow Up Flag: Follow up
Flag Status: Completed

Great. Thanks.

I have Hillary if you can pull something on Rauner

From: Langsdorf, Elizabeth
Sent: Tuesday, April 14, 2015 9:42 AM
To: Collins, Adam; PRESS_LIST
Subject: RE: Q&A

You should add MPEA transition; will send something. Should also probably have something on Hillary announcement in case any national reporters come. As well as Rauner giving EDGE credits vs. closing social services

From: Collins, Adam
Sent: Tuesday, April 14, 2015 9:14 AM
To: PRESS_LIST
Subject: Q&A

Hey everyone-

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SHANNON

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- Council chairs (have)
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- Burge reparations
- Officer-involved shootings/police discipline
- Transition (have)
- Chuy (have)

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From: Collins, Adam
Sent: Tuesday, April 14, 2015 10:41 AM
To: Quinn, Kelley
Subject: RE: from Monica at the NYT

Follow Up Flag: Follow up
Flag Status: Completed

Thanks. Will take care of it

From: Quinn, Kelley
Sent: Tuesday, April 14, 2015 10:37 AM
To: Collins, Adam
Subject: Fwd: from Monica at the NYT

Begin forwarded message:

From: "Davey, Monica" <davey@nytimes.com>
Date: April 14, 2015 at 11:36:21 AM EDT
To: "Quinn, Kelley" <Kelley.Quinn@cityofchicago.org>
Subject: from Monica at the NYT

Kelley:

I'm writing about the proposed settlement in the Laquan McDonald case in a story that will also mention the Burge reparations.

To get details about the McDonald case, can I go to you? Or to the Corp Counsel's office? or to CPD? (And if it's Corp counsel, who handles press there now?)

Thanks

Monica

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From: Collins, Adam
Sent: Tuesday, April 14, 2015 11:39 AM
To: Breymaier, Shannon; Schrader, Lisa; Update_List; Darling, Leslie; Patton, Stephen; Rountree, Janey; Higgins, Jessica
Subject: RE: McDonald video

Follow Up Flag: Follow up
Flag Status: Completed

Defer to Lisa. I think that's right. There's really nothing more we can say pending the investigation

-----Original Message-----

From: Breymaier, Shannon
Sent: Tuesday, April 14, 2015 11:36 AM
To: Collins, Adam; Schrader, Lisa; Update_List; Darling, Leslie; Patton, Stephen; Rountree, Janey; Higgins, Jessica
Subject: Re: McDonald video

Holden is downstairs with Patton and a couple reporters want to ask him follow-ups about McDonald. I'm asking John what they want to ask Steve, but what is the group's feeling on having him answer follow-ups? My gut is no and to have them send written Qs thru Holden for law to respond in writing, but please advise.

From: Collins, Adam
Sent: Tuesday, April 14, 2015 11:16:45 AM
To: Schrader, Lisa; Breymaier, Shannon; Update_List; Darling, Leslie; Patton, Stephen; Rountree, Janey; Higgins, Jessica
Subject: RE: McDonald video

This is what IPRA said a couple days ago. The background is what we have said before

"The City takes it seriously every time an officer fires their weapon, which is why we take two very important steps for each incident: we conduct an independent, civilian led investigation, and we refer each incident to prosecutors to determine if criminal charges may be appropriate. The shooting that led to Laquan McDonald's death continues to be investigated by prosecutors, and as a result we cannot offer any further comment."

BACKGROUND

This incident is under investigation by state and federal prosecutors and, as is the case with any case, disclosing any evidence may hamper their investigation.

Chicago is already fairly unique among major cities in that there is an independent civilian investigative agency, separate from the police department, which independently investigates every officer involved shooting and all forms of police misconduct. That agency is the Independent Police Review Authority (IPRA). Unlike the vast majority of civilian oversight agencies in the US, IPRA has primary investigative authority and subpoena power over the most serious cases of police misconduct in Chicago. Even in cities that have some type of still-rare civilian review, most have their police departments conduct the entire investigation and then allow a civilian oversight board to review.

-----Original Message-----

From: Schrader, Lisa
Sent: Tuesday, April 14, 2015 11:04 AM
To: Breymaier, Shannon; Update_List; Darling, Leslie; Patton, Stephen; Rountree, Janey; Higgins, Jessica
Subject: RE: McDonald video

We have talking points on this already. On record and background...can someone circulate?

-----Original Message-----

From: Breymaier, Shannon
Sent: Tuesday, April 14, 2015 10:42 AM
To: Update_List; Darling, Leslie; Patton, Stephen; Rountree, Janey; Higgins, Jessica
Subject: McDonald video

Fran was just badgering Steve down in council about why we won't release the McDonald video.

We should get ahead of this and say something like the following from DOL- thoughts?

Thanks,
Shannon

We fully plan on releasing the video after the federal and state investigations have been completed.

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From: Breymaier, Shannon
Sent: Tuesday, April 14, 2015 12:13 PM
To: Collins, Adam;Rountree, Janey
Subject: RE: NYT on McDonald

Follow Up Flag: Follow up
Flag Status: Completed

Reporters usually pull from his remarks/gaggle answers. We don't typically do further interviews, though we don't typically get follow up like this, either.

Holden says Meinke wants to do a one-on-one with Patton and that there are "national media like Cheryl Corley" downstairs, too.

Shannon Breymaier
O: 312-744-9045 C: [REDACTED]
Shannon.Breymaier@cityofchicago.org

From: Collins, Adam
Sent: Tuesday, April 14, 2015 12:09 PM
To: Breymaier, Shannon; Rountree, Janey
Subject: RE: NYT on McDonald

How would we normally handle something like this?

From: Breymaier, Shannon
Sent: Tuesday, April 14, 2015 11:02 AM
To: Collins, Adam; Rountree, Janey
Subject: Re: NYT on McDonald

We didn't provide a statement to anyone- people pulled from his remarks and also his answers from the gaggle

From: Collins, Adam
Sent: Tuesday, April 14, 2015 10:55:07 AM
To: Breymaier, Shannon; Rountree, Janey
Subject: NYT on McDonald

I just talked to Monica Davey at the NYT who is doing something on Laquan McDonald for tomorrow. She's looking for whatever the City has to say about the incident and settlement. OTR, I told her about IPRA being unique among major cities, and about why the video can't be released.

Before we just ship her off to Holden, does Law have something ready they could ship her – or was it just Steve's remarks yesterday?

IPRA
"The City takes it seriously every time an officer fires their weapon, which is why we take two very important steps for each incident: we conduct an independent, civilian led investigation, and we refer each incident to prosecutors to

determine if criminal charges may be appropriate. The shooting that led to Laquan McDonald's death continues to be investigated by prosecutors, and as a result we cannot offer any further comment."

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From: Maloney, Martin <Martin.Maloney@chicagopolice.org>
Sent: Tuesday, April 14, 2015 1:16 PM
To: Collins, Adam
Subject: RE: inquiry from NYT

Follow Up Flag: Follow up
Flag Status: Flagged

Not specific to the case, but questions like the below I think we can and should respond, unless you feel otherwise.

- In cases of police shootings in Chicago, what is the standard process for investigating them?
- Who was the officer involved, and if you will not identify that person, can you help our readers understand why you don't id them? Is that the case in every police shooting in Chicago?

From: Collins, Adam [<mailto:Adam.Collins@cityofchicago.org>]
Sent: Tuesday, April 14, 2015 1:14 PM
To: Maloney, Martin
Subject: RE: inquiry from NYT

Is there anything you guys can even say? I'd assume not

From: Maloney, Martin [<mailto:Martin.Maloney@chicagopolice.org>]
Sent: Tuesday, April 14, 2015 1:12 PM
To: Collins, Adam
Subject: FW: inquiry from NYT

I'll pull something together, but wanted to put this on your radar.

From: Davey, Monica [<mailto:davey@nytimes.com>]
Sent: Tuesday, April 14, 2015 1:08 PM
To: Maloney, Martin
Subject: inquiry from NYT

Marty,

I have some questions for a story I'm doing on the Laquan McDonald case. I'm going to be filing it tomorrow in the middle of the day and need these answered, if at all possible, by the end of the day today.

Here are my questions:

- Can you describe to me the narrative of what happened in the case? Location/date/time/number of shots fired/how many times he was hit/etc.
- Who was the officer involved, and if you will not identify that person, can you help our readers understand why you don't id them? Is that the case in every police shooting in Chicago?
- Can you give me any background on the officer, such as years of service, age, commendations, discipline?
- In cases of police shootings in Chicago, what is the standard process for investigating them?
- Is there anything different in this case and if so what and why?
- Is it standard for the county state's attorney's office, the FBI and the US attorney's office to look at police shootings in Chicago?

- May I view a copy of any dash cam recordings or other video that the police department has access to in the case?
- Separate from this case, there is a trial going right now involving a police shooting and a charge of involuntary manslaughter. The Sun-Times has reported that that case is the first Chicago police officer to be charged in a fatal shooting in 15 years here. Is that accurate?
- Finally, does Jon Burge receive any benefits/pension/health care/anything from his work for CPD? And how many police officers were fired in connection to the Burge cases?

Thanks, Marty. I'm at 312 543 4883. Or on email.

Best,
Monica

Monica Davey
The New York Times
Chicago Bureau Chief
111 E. Wacker Dr. Suite 3020
Chicago, Illinois 60601
[312-543-4883](tel:312-543-4883) (cell)
[312-552-7207](tel:312-552-7207) (office)

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From: Collins, Adam
Sent: Tuesday, April 14, 2015 2:01 PM
To: Holden, John;Breymaier, Shannon;Maloney, Martin
(Martin.Maloney@chicagopolice.org)
Cc: Darling, Leslie;Rountree, Janey
Subject: RE: video and officer's name in Laquan McDonald death

Follow Up Flag: Follow up
Flag Status: Completed

+Janey

Below are some questions CPD just got from Mary Mitchell. John, can you please pull answers on these? It might make sense to have Tarrah call Mary later today.

Janey also had a good thought. [REDACTED]

Can you confirm that the only officer being investigated by IPRA and the feds for the Laquan McDonald fatality is the shooter? I'm told that CPD detectives removed 86 minutes of videotape from the Burger King surveillance cameras (without a warrant) designed to cover up the shooting? Are these detectives being investigated. Can you confirm the officer under investigation is Jason Van Dyke.

From: Holden, John
Sent: Tuesday, April 14, 2015 1:22 PM
To: Breymaier, Shannon; Collins, Adam; Maloney, Martin (Martin.Maloney@chicagopolice.org)
Cc: Darling, Leslie
Subject: RE: video and officer's name in Laquan McDonald death

Already working on it and the NYT draft responses.

From: Breymaier, Shannon
Sent: Tuesday, April 14, 2015 1:21 PM
To: Collins, Adam; Holden, John; Maloney, Martin (Martin.Maloney@chicagopolice.org)
Cc: Darling, Leslie
Subject: RE: video and officer's name in Laquan McDonald death

Yes – John, please draft responses to these Qs for review.

Shannon Breymaier
O: 312-744-9045 C: [REDACTED]
Shannon.Breymaier@cityofchicago.org

From: Collins, Adam
Sent: Tuesday, April 14, 2015 1:19 PM
To: Holden, John; Maloney, Martin (Martin.Maloney@chicagopolice.org); Breymaier, Shannon
Subject: FW: video and officer's name in Laquan McDonald death

+Shannon and minus Chip

I think all of this was covered by Steve already yesterday, right?

From: Chip Mitchell [<mailto:cmitchell@wbez.org>]
Sent: Tuesday, April 14, 2015 1:15 PM
To: 'martin.maloney@chicagopolice.org'; Holden, John
Cc: Collins, Adam
Subject: video and officer's name in Laquan McDonald death

Hi Marty and John:

We have three questions for any representative of the city:

- (1) Why hasn't the city released the dashboard camera video to the public?
- (2) Why hasn't the city released the name of the officer who fired the shots?
- (3) Does the city stand behind the CPD's October 21 statement claiming that McDonald "... continued to approach the officers. As a result of this action, the officer discharged his weapon striking the offender." If not, what is the city doing to hold CPD official(s) accountable for this statement?

We need on-the-record answers by 3:30 p.m. to be included in our afternoon coverage. We will consider responses later than that for our morning and subsequent coverage.

Thanks.

Chip

Chip Mitchell, reporter, WBEZ 91.5 FM, cmitchell@wbez.org
312-893-2902 desk, 312-286-9986 mobile, 312-948-4673 fax
West Side Bureau, 2710 W. Cermak Rd., Chicago, IL 60608
<https://twitter.com/ChipMitchell1>
www.linkedin.com/in/ChipMitchell1
www.facebook.com/ChipMitchell1
<https://plus.google.com/111079509307132701769/posts>

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From: Holden, John
Sent: Tuesday, April 14, 2015 2:12 PM
To: Patton, Stephen;Darling, Leslie
Subject: s-t story

[News](#)

Alderman demands release of video of police officer shooting black teenager

Posted: 04/14/2015, 12:37pm | [Fran Spielman](#)



Laquan McDonald at graduation | Provided

photo

The chairman of the City Council's Black Caucus on Tuesday demanded the release of a potentially incendiary video showing a Chicago Police officer firing 16 shots into the body of slain African-American teenager Laquan McDonald.

Ald. Howard Brookins (21st) acknowledged that the dashboard camera video of one Chicago Police officer unleashing the barrage of gunfire that killed McDonald, 17, on Oct. 20, 2014, as at least five other responding officers exercised restraint would “really inflame the passions of the community-at-large.”

But Brookins said that’s the price that must be paid if the Chicago Police Department is ever going to confront and move beyond the disparate treatment of African-American men by a “handful” of rogue officers that’s become a systemic problem for police across the nation.

FBI INVESTIGATION: [Feds look into shooting of teen by](#)

An FBI investigation of the fatal shooting and a \$5 million settlement to McDonald’s family — even before a lawsuit was filed — should not preclude the video’s release or serve as what one civil rights attorney has called “hush money,” Brookins said.

“I’m not worried about rioting or demonstrations. I need this to stop. If you don’t show the video and this continues to happen, then we’re still headed down that path. ... It can help us also going forward to come up with policies and practices that will end this once and for all,” Brookins said.



Ald. Howard Brookins wants the Chicago Police Department to release a video showing the shooting death of a teenager. | File Photo

“There’s no plan to look at the video and I think that situation is outrageous. My understanding is, there’s one police officer who’s doing the shooting and several police officers standing [around]. ... I don’t understand how this still happens ... after countless numbers of police shootings, after [former police officer Anthony] Abbate [was] seen in a bar beating a bar maid. I don’t know why this stuff still happens.”

He added, “No matter how ugly the situations are, the public has a right to know. I will stand on your First Amendment rights to show that just like I will stand on a criminal defendant’s Fifth Amendment right to shut up.”

Ald. Carrie Austin (34th), outspoken chairman of the City Council’s Budget Committee, strongly disagreed with Brookins. Austin wants the video kept under wraps.

“It would incite somebody . . . to do something violent — to rise up in ways that aren’t necessary,” Austin said.



Ald. Carrie Austin said she fears that releasing a video showing the shooting death of Laquan McDonald would incite unrest. | File Photo

“Some would say that they would rather see it. I think that would be insensitive. Why would you want to even see something like that take place? For you to retaliate is not gonna correct the situation. It has happened. It is done. That individual will receive their punishment. So, I don’t think we should go on and on with that . . . It would just distraught somebody to do that. Then, we would lose confidence [of] our citizenry. And I don’t want that to happen. We worked hard to gain their confidence back.”

Corporation Counsel Stephen Patton said the shooting video has been shown to attorneys representing the McDonald family and supports the family’s contention that the knife-wielding teenager was continuing to walk away from police at the time of the shooting.

Patton said the shooting video will be released at the appropriate time, but not while an “active federal and state criminal investigation” is still going on.

“The last thing that any of us want to do is to do something that might interfere with or compromise that pending investigation,” Patton said.

“I am confident this video will be released. When could depend on whether charges are brought and...what the prosecutor or prosecutors have to say about it....If prosecutors say, ‘We want you to hold off on that because we don’t want to interfere with the prosecution,’ then that would be something we would certainly listen seriously to. But the bottom line is at that appropriate time, this videotape will be released.”

Patton refused to speculate on whether releasing the video might incite demonstrations. He simply said that’s not the city’s motivation for holding back nor is the \$5 million settlement an attempt to keep the video under wraps.

“Absolutely false. This isn’t hush money. We evaluated this settlement the same way we do every other,” he said.

Brookins noted that unarmed African-American civilians LaTanya Haggerty, 26, and Robert Russ, 22, were shot to death by officers after separate police pursuits on the same June, 1999 weekend, touching off a summer filled with protests about alleged police brutality.

That forced Chicago taxpayers to pay \$18 million in damages to the Haggerty family and \$9.6 million to the Russ family.

Sadly, those were not isolated incidents, Brookins said.

“The Band-Aid continues to be ripped off as you see these other issues throughout the country and here that, particularly African-American males’ lives don’t have as much value as other citizens of this country,” he said.

“There is not an African-American man I know that has not been pulled over unfairly by the police or appeared to be racially profiled. And that went from the late Bishop [Arthur] Brazier to myself as a young lawyer. ... I would like to see it stop. I would like to see us stop paying out hundreds of thousands or millions of dollars for senseless acts of a very few police officers that discredit the whole department and give a stain or a black eye to our city and other cities around the country.”

Brookins then referred to what he called the “sanitized” version of events recited time and again by a spokesman for the Fraternal Order of Police who shows up at the scene of every police-involved shooting.

“You could just replay old video because it’s always the same thing. You could look at every police report because it always reads the same. Then, you look at the actual video, which dispels what has been said in official written documents and you know that police officers in those limited situations have not been forthright with the community,” the alderman said.

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Ald. Howard Brookins wants the Chicago Police Department to release a video showing the shooting death of a teenager. | File Photo

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Ald. Carrie Austin said she fears that releasing a video showing the shooting death of Laquan McDonald would incite unrest. | File Photo

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From: Collins, Adam
Sent: Tuesday, April 14, 2015 3:31 PM
To: Breymaier, Shannon; Schrader, Lisa; Update_List; Rountree, Janey; Darling, Leslie
Subject: Re: McDonald follow up - FYI

Follow Up Flag: Follow up
Flag Status: Completed

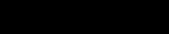
I found out a bit ago that IPRA's PIO talked to Monica about the structure of IPRA and how they operate without checking in with me (and despite the fact I had already reached out to coordinate earlier in the day). From the conversation I've had since it doesn't sound like there are any issues, but want to be sure we have a head's up.

We could give Monica the Ando statement on this...

"The City takes it seriously every time an officer fires their weapon, which is why we take two very important steps for each incident: we conduct an independent, civilian led investigation, and we refer each incident to prosecutors to determine if criminal charges may be appropriate. The shooting that led to Laquan McDonald's death continues to be investigated by prosecutors, and as a result we cannot offer any further comment."

From: Breymaier, Shannon
Sent: Tuesday, April 14, 2015 3:25 PM
To: Schrader, Lisa; Update_List; Rountree, Janey; Darling, Leslie
Subject: RE: McDonald follow up - FYI

Great, will do. Thanks!

Shannon Breymaier
O: 312-744-9045 C: 
Shannon.Breymaier@cityofchicago.org

From: Schrader, Lisa
Sent: Tuesday, April 14, 2015 3:25 PM
To: Breymaier, Shannon; Update_List; Rountree, Janey; Darling, Leslie
Subject: Re: McDonald follow up - FYI

I'm ok if it's on background only

Sent from my BlackBerry 10 smartphone.

From: Breymaier, Shannon
Sent: Tuesday, April 14, 2015 3:14 PM
To: Update_List; Rountree, Janey; Darling, Leslie
Subject: RE: McDonald follow up - FYI

Steve thinks it would be better to talk to the NYT reporter instead of providing written responses.

Her Qs are below and Holden should be sending me written responses soon, but Lisa, are you OK with Steve talking to her on the phone or would you prefer we have law answer in writing? Please advise.

- Any chance I can speak with Stephen Patton at some point today about this case? (If not, do you have video of his press briefing yesterday?)
- The main thing I'm interested in learning is what led the city to propose this settlement -- the dash cam video? Statements from the other officers? Something else?
- What is the status of the dash cam video? Obviously, I'd like to see it. Do I need to FOIA it? May I view it?
- Who is the lawyer for the deceased person's family?
- How much has the city paid over the last number of years in cases where someone has been shot by police? Do you have a measure of that for five years? Ten years? Some other number of years?
- On the Burge reparations ordinance, how much has the city already paid out over the years on Burge-related settlements? I notice that the Trib and Sun-Times regularly say that the city, county and state have paid more than \$100 million. That seem accurate from your vantage point?

Shannon Breymaier
O: 312-744-9045 C: 312-859-2719
Shannon.Breymaier@cityofchicago.org

From: Breymaier, Shannon
Sent: Tuesday, April 14, 2015 1:59 PM
To: Update_List; Rountree, Janey; Darling, Leslie
Subject: McDonald follow up - FYI

FYI- Law and CPD are getting a bunch of follow-up questions about the McDonald settlement. DOL is drafting answers and I'll circulate when there is something to review.

Thanks,
Shannon

Shannon Breymaier
O: 312-744-9045 C: [REDACTED]
Shannon.Breymaier@cityofchicago.org

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From: Holden, John
Sent: Tuesday, April 14, 2015 3:54 PM
To: Platt, Thomas
Subject: FW: Laquan McDonald inquiry.

From: Gorner, Jeremy [<mailto:jgorner@chicagotribune.com>]
Sent: Tuesday, April 14, 2015 3:50 PM
To: Holden, John
Subject: Laquan McDonald inquiry.
Importance: High

Hey John,

So in the case file for the Laquan McDonald (ME2014-01071), there's a toxicological report that says he was found with PCP in his system. The positive finding is listed in an AMENDED toxicology report by toxicologist Michael Wagner and it says the "date reviewed" was 3/31/2015.

Here's what it says under the lab report from NMS LABS:

Analysis and Comments	Result	Units	Rpt. Limit	Specimen
Source	Analysis By			
Phencyclidine	56	ng/mL	5.0	001 – Cavity
Blood	GC/MS			

***My question is, did the Law Department know about this before the agreed upon settlement with McDonald's family's lawyers? Does the Law Department have any reaction to this finding in the toxicological report?**

This is deadline-pressing for tomorrow's paper, so if there's any way to get this answered by today I'd really appreciate it.

Thanks!

Jeremy Gorner
Reporter – Chicago Tribune
O: 312-222-4569
C: 312-912-3967

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From: Darling, Leslie
Sent: Tuesday, April 14, 2015 8:39 PM
To: Patton, Stephen
Subject: Why the city doesn't want video of Laquan McDonald's shooting released | Chicago

<http://chicago.suntimes.com/mary-mitchell/7/71/518878/laquan-mcdonald-video-settlement-police-shooting>

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From: Johnson, Robert
Sent: Tuesday, April 14, 2015 10:01 PM
To: Parang, Farzin;Magana, Jasmine;Faulman, Mike;Castro, Veronica;Kassa, Redeatu;Cooper, Tarrah;Breymaier, Shannon;Negron, Michael;Schaffer, Stefan
Subject: Agenda for tomorrow's Council
Attachments: April 15, 2015 Agenda.doc

Attached.
-Rob

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Attached.
-Rob

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From: Patton, Stephen
Sent: Wednesday, April 15, 2015 9:13 AM
To: Collins, Adam;Darling, Leslie;Breymaier, Shannon;Rountree, Janey
Subject: RE: (NEWS) CBS2 News at 5:30AM: City Council will review and vote on three major settlements today

Follow Up Flag: Follow up
Flag Status: Completed

No.

From: Collins, Adam
Sent: Wednesday, April 15, 2015 7:28 AM
To: Patton, Stephen; Darling, Leslie; Breymaier, Shannon; Rountree, Janey
Subject: Fwd: (NEWS) CBS2 News at 5:30AM: City Council will review and vote on three major settlements today

Does the toxicology report in today's Trib have any implications for the McDonald settlement?

----- Original message -----

From: NewsClips <NewsClips@cityofchicago.org>

Date: 04/15/2015 6:49 AM (GMT-06:00)

To:

Subject: (NEWS) CBS2 News at 5:30AM: City Council will review and vote on three major settlements today

[CBS2 News at 5:30AM: City Council will review and vote on three major settlements today](#)

ANCHOR: Some of Chicago's most controversial and high profile cases could finally be laid to rest. Today the city council is set to approve three major settlements including one to the victims of the police commander. Vince Gerasole is live at city hall to break it down for us. Good morning.

GERASOLE: Good morning. We sure are talking about an awful lot of money. The settlements tote until the millions of dollars and the details have been worked out. Before city council today, they'll be introduced, come up for a vote or be discussed. Most are the results of scandals that have plagued the city for some time. The highest payout includes a \$5.5 million fund for the dozens of victims connected to the former Chicago police commander and a number of rogue police officers. The package would include tuition, counselling and job training as well as \$100,000 for victims that the city agrees suffered abuse by the commander and his officers. Yesterday some of them recalled the crimes.

TORTURE VICTIM: It happened. It's regrettable. We got a way in which not to break the city but to show that, hey, look, we're sorry, and here's something, you know, may not be all that you want but something. So I want the city to know that I appreciate that.

GERASOLE: David Koschman, a victim was killed back in 2004 by a police officer, the nephew of the former mayor. It took years to charge and convict him of involuntary manslaughter and he was eventually sentenced to 60 days in jail. And his mother filed a conspiracy suit alleging that the city was trying to cover that up. And finally Laquan McDonald, a \$250,000 settlement has been approved last October police shot a victim 16 times killing him. Police say he lunged at them with a knife but dash cam video shows him walking away. But a new toxicology report shows that he had pcp in his system and now puts that settlement in jeopardy. City attorneys argue it's less costly to settle the cases out of court than to take them to court. They come up for

discussion and possible votes later today before the full city council. Reporting live, Vince Gerasole, cbs 2 news.

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From: Quinn, Kelley
Sent: Wednesday, April 15, 2015 9:47 AM
To: Breymaier, Shannon
Cc: Collins, Adam; Deal, Joe; Update_List
Subject: Re: Draft Q&A

Categories: FOIA To-Do

Tell her OTR that it'd be premature to speculate, even though she likes to do that. She got the answer earlier.

On Apr 15, 2015, at 10:33 AM, Breymaier, Shannon <Shannon.Breymaier@cityofchicago.org> wrote:

Also, Fran is not satisfied with the answer about how we are paying for the Burge reparations. She's now trying to get Alex on the phone to get an answer (her follow up Q was, "will you borrow").
Just a flag, as MRE may be asked.

Shannon Breymaier
O: 312-744-9045 C: [REDACTED]
Shannon.Breymaier@cityofchicago.org

From: Breymaier, Shannon
Sent: Wednesday, April 15, 2015 7:30 AM
To: Collins, Adam; Deal, Joe; Update_List
Subject: Re: Draft Q&A

Ed was still pushing on how much the nfl would pay the city for the draft. I won't be surprised if he asks mre today. Joe, do you suggest he just say that the permits are being processed? Or should he say something else?

From: Collins, Adam
Sent: Tuesday, April 14, 2015 7:05:19 PM
To: Deal, Joe; Update_List
Subject: RE: Draft Q&A

Updated with that. I'll send this home with him

From: Deal, Joe
Sent: Tuesday, April 14, 2015 6:05 PM
To: Collins, Adam; Update_List
Subject: RE: Draft Q&A

A couple of suggestions:

Why such broad street closures for the draft? Because the NFL is planning a spectacular event. You can see that from the pictures that were released yesterday. Having said that, we worked with Choose and the NFL to minimize the closures.

ORD Noise: The statement that is in there (below) is an odd frame. The FAA isn't going to come up with a plan for us. If we want to push the FAA, then we need to push them to answer our request for an expedited noise study. Additionally, we could say that they should have more than 2 meetings regarding the runway that will open in October. They announced today that they are going to have 2 long public meetings rather than 4 shorter ones. [REDACTED]

(And I will work with residents and local leaders to keep pressure on the FAA to take our concerns seriously and come up with a workable plan to ensure O'Hare remains an economic engine for our city and maintains a high quality of life for those who live near the airport.)

Spike Lee Movie: I think he should add something about Chicago (or reputation, or people, or history) being able to withstand a movie. Then he could say, however, I feel for everyone who will feel stigmatized by the portrayal of their neighborhoods.

From: Collins, Adam
Sent: Tuesday, April 14, 2015 5:47 PM
To: Update_List
Subject: Draft Q&A

Attached is a draft Q&A for tomorrow, for the items we have so far. Please take a look and let me know if you have any edits or suggestions.

BURGE REPARATIONS
LAQUAN MCDONALD
KOSCHMAN SETTLEMENT
HILLARY
OBAMA LIBRARY
NFL DRAFT
RAUNER ON EDGE TAX CREDITS
RAUNER PUSHING BANKRUPTCY AS AN OPTION FOR CPS
RAUNER ON CASINOS
O'HARE
PENSIONS/FINANCES
DR. MORITA APPOINTMENT
MENTAL HEALTH
SPIKE LEE MOVIE
CTU CONTRACT NEGOTIATIONS
CHARTER APPLICATIONS

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copying of this e-mail, and any attachment thereto, is strictly prohibited. If you have received this e-mail in error, please respond to the individual sending the message, and permanently delete the original and any copy of any e-mail and printout thereof.

From: Maloney, Martin <Martin.Maloney@chicagopolice.org>
Sent: Wednesday, April 15, 2015 10:12 AM
To: Collins, Adam
Subject: FW: inquiry from NYT

Follow Up Flag: Follow up
Flag Status: Flagged

[See Monica's remaining questions – did you want those to come from DOL too?](#)

From: Davey, Monica [<mailto:davey@nytimes.com>]
Sent: Wednesday, April 15, 2015 9:58 AM
To: Maloney, Martin
Subject: Re: inquiry from NYT

Can you answer the Burge pension question?
And can you answer the question about the court case now underway?

On Apr 14, 2015, at 1:07 PM, Davey, Monica <davey@nytimes.com> wrote:

Marty,

Per our discussion just now, I have some questions for a story I'm doing on the Laquan McDonald case. I'm going to be filing it tomorrow in the middle of the day and need these answered, if at all possible, by the end of the day today.

Here are my questions:

- Can you describe to me the narrative of what happened in the case?
Location/date/time/number of shots fired/how many times he was hit/etc.
- Who was the officer involved, and if you will not identify that person, can you help our readers understand why you don't id them? Is that the case in every police shooting in Chicago?
- Can you give me any background on the officer, such as years of service, age, commendations, discipline?
- In cases of police shootings in Chicago, what is the standard process for investigating them?
- Is there anything different in this case and if so what and why?
- Is it standard for the county state's attorney's office, the FBI and the US attorney's office to look at police shootings in Chicago?

- May I view a copy of any dash cam recordings or other video that the police department has access to in the case?

- Separate from this case, there is a trial going right now involving a police shooting and a charge of involuntary manslaughter. The Sun-Times has reported that that case is the first Chicago police officer to be charged in a fatal shooting in 15 years here. Is that accurate?

-Finally, does Jon Burge receive any benefits/pension/health care/anything from his work for CPD? And how many police officers were fired in connection to the Burge cases?

Thanks, Marty. I'm at [312 543 4883](tel:3125434883). Or on email.

Best,

Monica

Monica Davey

The New York Times

Chicago Bureau Chief

111 E. Wacker Dr. Suite 3020

Chicago, Illinois 60601

[312-543-4883](tel:3125434883) (cell)

[312-552-7207](tel:3125527207) (office)

From: Davey, Monica <davey@nytimes.com>
Sent: Wednesday, April 15, 2015 12:23 PM
To: Collins, Adam
Subject: Re: quick and easy question for you for my planning

Follow Up Flag: Follow up
Flag Status: Flagged

Am I right to understand that the City Council just approved that \$5 million settlement in the Laquan McDonald case? (There was no discussion so I just want to be sure that represented approval...)

Also, can I get the language of the Burge legislation? It was introduced formally today right?

On Tue, Apr 14, 2015 at 3:58 PM, Collins, Adam <Adam.Collins@cityofchicago.org> wrote:

Ok. Let me know

From: Davey, Monica [mailto:davey@nytimes.com]
Sent: Tuesday, April 14, 2015 3:57 PM
To: Collins, Adam
Subject: Re: quick and easy question for you for my planning

Still waiting for stuff to come back from others but making progress

On Tue, Apr 14, 2015 at 3:54 PM, Collins, Adam <Adam.Collins@cityofchicago.org> wrote:

Do you have what you need on these?

From: Davey, Monica [mailto:davey@nytimes.com]
Sent: Tuesday, April 14, 2015 3:52 PM
To: Collins, Adam
Subject: Re: quick and easy question for you for my planning

Thanks

On Tue, Apr 14, 2015 at 3:51 PM, Collins, Adam <Adam.Collins@cityofchicago.org> wrote:

Burge package will be voted on in May

The settlements will be voted on tomorrow

From: Davey, Monica [mailto:davey@nytimes.com]
Sent: Tuesday, April 14, 2015 2:22 PM
To: Collins, Adam
Subject: quick and easy question for you for my planning

One question for you: Will the Burge Reparations issue get a final vote in the City Council on Wed? If not, when will a final vote come?

And will there be a final vote regarding the settlement with McDonald's family on Wed? If not, when will a final vote come?

Thanks

Monica

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From: Holden, John
Sent: Wednesday, April 15, 2015 3:46 PM
To: Patton, Stephen;Darling, Leslie
Subject: Fran's LM Council story

This just popped up for me on the S-T site though it was posted shortly after noon. The only “news” here is Ald. Austin’s observations. It otherwise recycles Steve’s testimony from Monday :

City Council approves \$5 million settlement stemming from fatal police shooting

[Fran Spielman](#)

As an FBI investigation continues, the fatal police shooting of a knife-wielding black teenager on Wednesday triggered a \$5 million city settlement amid word that Laquan McDonald had PCP in his system when a Chicago Police officer shot him 16 times.

The presence of a drug that can make the user exhibit aggressive behavior had no impact on the City Council’s decision to settle the case — even before a lawsuit was filed — and it shouldn’t, said Ald. Carrie Austin (34th), outspoken chairman of the Council’s Budget Committee.

“How would they [police] have known that? They would not have known that. You’re gonna look at them and know what kind of substance they have in them? I could have taken a Bayer aspirin. How would you know it?” Austin said.

“Even though it’s an illegal substance. So what? That particular [drug] could have gotten him to a level of cohesiveness or coherency. Some people are extremely aggressive. Some could be less aggressive or keep them at a medium.”

Corporation Counsel Stephen Patton has promised to release the potentially incendiary video of the shooting at the appropriate time, but not while an “active federal and state criminal investigation” continues.

No matter what the toxicology report says, that doesn’t mitigate the fact that a Chicago Police officer fired 16 shots into McDonald’s body on October 20, 2014 as five other responding officers exercised restraint, Austin said.

“I myself would just like to know: What was going through that officer’s head? What were you thinking? Were you thinking just apprehension? Did you just make a mistake? I just think that was excessive,” Austin said.

The pre-lawsuit payment to the McDonald family is the latest in a string of costly settlements stemming from alleged police wrongdoing.

It all started when a man called 911 to report that a knife-wielding offender had threatened him and was attempting to break into vehicles in an Archer Heights trucking yard at 41st and Kildare.

Two police officers responded to the call and found McDonald about a block away holding a knife in his right hand, Patton said.

When the teenager was ordered to drop the knife, he ignored the demand and kept walking along 40th Street toward Pulaski, away from the officers.

Patton then described how one of the officers followed McDonald on foot, “kind of beside” the teenager, while the other officer followed in a marked squad car and called a dispatcher to request a back-up unit with a Taser.

The slow pursuit continued until McDonald neared Pulaski, potentially endangering civilians. That’s when the officer in the squad car pulled in front of the teenager to block his path. According to Patton, McDonald responded by using the knife to puncture one of the squad car’s front tires and struck the windshield with a knife before continuing through a Burger King parking lot and onto Pulaski.

By that point, two additional squad cars reported to the scene, one equipped with a dashboard camera that recorded the deadly shooting. The squad car with the camera followed behind McDonald.

The other squad car pulled up beside, then in front of the teenager and both officers jumped out with their guns drawn. One of those two officers then opened fire and shot McDonald 16 times, all of it captured on videotape.

The shooting officer contends that McDonald was moving toward him and that he opened fire to protect himself.

Plaintiffs’ attorneys have countered that the teenager was continuing to walk away from police at the time of the shooting and that the video supports that version of events. Family attorneys also have contended that McDonald posed no imminent threat because there were no pedestrians or vehicles nearby at the time of the shooting.

“This is kind of a unique case, where we had the original two officers who arrived at the scene, followed Mr. McDonald for some number of blocks and matter of minutes and never saw fit to discharge their weapons. It also applies to [the shooter’s] partner, who was right beside him when they exited the police vehicle, also got out of the police car with guns drawn, but did not shoot,” Patton told the Finance Committee Monday.

Noting that the family initially demanded \$16 million, the corporation counsel said, “So, the plaintiffs will contend, if this matter were not resolved, that the unreasonableness of Officer A’s conduct is shown by the restraint that was shown by the other five officers, none of whom discharged their weapons.”

Although McDonald had an “extensive juvenile record,” Patton said he had recently secured a summer job through a church social agency. Just a month before the shooting, he had also enrolled in the Sullivan Alternative School for troubled youth, where his mentor was prepared to testify that McDonald had good grades at the time of his death and was “making progress in turning his life around.”

Patton insisted that it is “not unusual” to settle cases before litigation is filed, But, it “generally happens” in cases involving property damage.

“It is more unusual in police cases, but fully consistent with our policy of assessing cases early and determining whether they’re cases that should be settled and, if we conclude that they are, to try to resolve them before they generate a lot of fees and expenses and become more difficult to resolve,” he said.

The City Council signed off on the \$5 million settlement on a day when Mayor Rahm Emanuel formally introduced an ordinance creating a \$5.5 million “reparations” fund to compensate victims allegedly tortured by convicted former Area 2 Commander Jon Burge and his co-horts.

The timing may or may not have been coincidental. But it was certainly fortunate politically.

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From: Collins, Adam
Sent: Wednesday, April 15, 2015 4:38 PM
To: Patton, Stephen
Subject: RE: LM video follow up

Thanks, Steve

From: Patton, Stephen
Sent: Wednesday, April 15, 2015 4:32 PM
To: Collins, Adam; Breymaier, Shannon; Holden, John; Darling, Leslie
Subject: RE: LM video follow up

Okay. Then run with it. Thanks.

From: Collins, Adam
Sent: Wednesday, April 15, 2015 4:26 PM
To: Patton, Stephen; Breymaier, Shannon; Holden, John; Darling, Leslie
Subject: RE: LM video follow up

[REDACTED]

From: Patton, Stephen
Sent: Wednesday, April 15, 2015 4:20 PM
To: Collins, Adam; Breymaier, Shannon; Holden, John; Darling, Leslie
Subject: RE: LM video follow up

[REDACTED]

[REDACTED]

From: Collins, Adam
Sent: Wednesday, April 15, 2015 3:51 PM
To: Breymaier, Shannon; Holden, John; Patton, Stephen; Darling, Leslie
Subject: RE: LM video follow up

What the AP wants is a line about how we will release the video at some point, and we should get that to them. Can we just give them something like what Steve said to Fran?

“The last thing that any of us want to do is to do something that might interfere with or compromise the pending investigation by prosecutors, but we are confident this video will be released at the appropriate time when their investigation is complete.”

From: Breymaier, Shannon
Sent: Wednesday, April 15, 2015 3:43 PM
To: Holden, John; Patton, Stephen; Darling, Leslie; Collins, Adam
Subject: Re: LM video follow up

+Adam

From: Holden, John
Sent: Wednesday, April 15, 2015 3:38:20 PM
To: Patton, Stephen; Darling, Leslie
Cc: Breymaier, Shannon
Subject: LM video follow up

Hi Steve and Leslie –

The AP and MSNBC both called in the past hour looking to get confirmation on the reason for not releasing the LM video at this time. The producer at MSNBC also asked if the settlement agreement explicitly prohibited the release of the video and whether there were any other terms of the contract that are public.

The answer below on not releasing the video is drawn from the Q&A that was prepared for Monday's meeting.

Because this matter is the subject of an ongoing criminal investigation by federal and state law enforcement authorities, we do not want to interfere with and potentially compromise an ongoing criminal investigation.

Does this still work for you.

p.s. I have been monitoring media today and did not see any more coverage of this matter aside from this WBBM brief posted online.

City Council Approves Settlements For Families Of Laquan McDonald, David Koschman

April 15, 2015 3:08 PM

Chicago City Council Chambers (CBS)

(CBS) — Money matters were uppermost at Wednesday's Chicago City Council meeting, reports WBBM's Political Editor Craig Dellimore.

Quickly and without debate the City Council approved a \$5 million settlement for the family of Laquan McDonald, a knife-wielding teenager who was shot 16 times and killed by a Chicago police officer last October; a \$250,000 settlement for Nanci Koschman, whose son David was killed in an altercation with the nephew of former Mayor Richard M. Daley; and \$325,000 for a couple whose vintage record collection was destroyed in a flood caused by a broken water main.

John

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From: Patton, Stephen
Sent: Wednesday, April 15, 2015 4:48 PM
To: Holden, John;Collins, Adam;Breymaier, Shannon;Darling, Leslie
Subject: RE: LM video follow up

From: Holden, John
Sent: Wednesday, April 15, 2015 4:40 PM
To: Collins, Adam; Patton, Stephen; Breymaier, Shannon; Darling, Leslie
Subject: RE: LM video follow up

They were asking for a statement about our posture on the release of the video as well as a few other things about what the settlement agreement said about the video's release and any other aspects of the agreement could be disclosed. I think we might be able to get by with just the statement with them for now.

From: Collins, Adam
Sent: Wednesday, April 15, 2015 4:37 PM
To: Holden, John; Patton, Stephen; Breymaier, Shannon; Darling, Leslie
Subject: RE: LM video follow up

Yes please, to the AP. I'm not sure what MSNBC is asking specifically

From: Holden, John
Sent: Wednesday, April 15, 2015 4:35 PM
To: Patton, Stephen; Collins, Adam; Breymaier, Shannon; Darling, Leslie
Subject: RE: LM video follow up

Adam and Shannon – just to confirm, I will put it out on our end as a statement from Steve.

From: Patton, Stephen
Sent: Wednesday, April 15, 2015 4:32 PM
To: Collins, Adam; Breymaier, Shannon; Holden, John; Darling, Leslie
Subject: RE: LM video follow up

Okay. Then run with it. Thanks.

From: Collins, Adam
Sent: Wednesday, April 15, 2015 4:26 PM
To: Patton, Stephen; Breymaier, Shannon; Holden, John; Darling, Leslie
Subject: RE: LM video follow up

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Sent: Wednesday, April 15, 2015 4:20 PM

To: Collins, Adam; Breymaier, Shannon; Holden, John; Darling, Leslie
Subject: RE: LM video follow up

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Sent: Wednesday, April 15, 2015 3:51 PM
To: Breymaier, Shannon; Holden, John; Patton, Stephen; Darling, Leslie
Subject: RE: LM video follow up

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From: Holden, John
Sent: Thursday, April 16, 2015 10:34 AM
To: Platt, Thomas
Cc: Patton, Stephen;Darling, Leslie;Franklin, Liza
Subject: video stories and columns
Attachments: trib video editorial-04162015.pdf; s t story on shooting video-04162015.pdf; mitchell video column-04162015.pdf

Hi Tom –

Attached are the Mary Mitchell column, a S-T news story and today's Tribune editorial on the video issue.

John

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ANOTHER VIEW

Why city doesn't want shooting video released



MARY MITCHELL

The city does not want you to see video of the shooting of Laquan McDonald. Attorney Jeffrey Neslund is barred from releasing the dash-cam video he obtained from the city under conditions of a \$5 million settlement expected to be approved Wednesday by the Chicago City Council.

But Neslund described the images to me.

Laquan McDonald, 17, is walking west in the middle of Pulaski Avenue at 40th Street. He has a knife in his right hand.

He is not running.

He is not lunging.

He is walking.

Two Chicago police officers jump out of a Tahoe with their guns drawn.

McDonald is still walking west toward the sidewalk with a full lane of traffic separating him from one of the officers.

When the officer begins shooting, the first shots spin McDonald around. The officer continues to fire from a distance of between 12 and 15 feet.

McDonald falls.

The only movement is the puffs of smoke coming from the teen's torso and his head.

The police officer comes into view and kicks the knife out of the boy's right hand.

Neslund and his partner, Michael D. Robins, represent McDonald's mother, Tina Hunter.

"I certainly expect that the officer will be indicted, and not just the officer, but any officer, supervisor or lieutenant who took part in covering this up and justifying what cannot be justified," Neslund told me.

"This was an execution of a young man that should have been — and could have been — avoided," he said.

A Chicago police officer fatally shot McDonald on Oct. 20 on the Southwest Side. An autopsy revealed McDonald's body had

16 bullet holes.

The officer involved in the shooting was stripped of his police powers and put on desk duty. The Chicago Police Department declined Tuesday to confirm the officer's name or race.

Meanwhile, Neslund said other police personnel should be disciplined for allegedly trying to thwart the investigation into McDonald's death.

"Chicago detectives went in [Burger King] the next morning without a warrant, and 86 minutes of surveillance footage from all the cameras within Burger King were removed from the computer's hard drive," Neslund alleged.

A spokesman for the Chicago Police Department News Affairs did not respond to my request for comments on this latest allegation.

According to Neslund, the dash-cam video has not been aired because of the fear of violent protests.

"I agonized over this. I really wanted to let it go

viral, but how would that affect the city of Chicago?" the lawyer asked.

"Ultimately, the more I thought about it, the more I decided against it. Yes, it was a huge bargaining chip in the negotiations, but I didn't want that on my conscience."

McDonald's mother has not seen the video and does not want it released publicly, Neslund said.

"I met with her and Laquan's uncle, and he was really concerned. He was afraid he would see their neighborhood burned," the lawyer said.

Yet none of us can hide.

Indeed, it is eerily ironic this case is unfolding in Chicago — the city where Mamie Till Mobley made the ultimate sacrifice by allowing the world to see what hatred did to her son.

A young black male unjustifiably killed by police is the Emmett Till of our time.

Email: marym@suntimes.com
Twitter: @MaryMitchellCST



Laquan McDonald

POLIT

Ald. wins

closed, the 43rd mania race is fin

Attorney Carey, who fought to become the ward's new alderman, conceded on Tuesday to incumbent Ald. Michel

"We could do for another week a recount and a challenge — as you have urged — but I do not think it is in the best interest of the ward," Vickrey emailed to support this reason, I am ending my campaign as the 43rd

Smith responded, thanking her support and her opponent's passion and hard

Pang to

BY FRAN SPIEL
Staff Reporter
Transition

Chicago mayors to a second term

But Mayor Rahm Emanuel is not taking the job. After he traveled. After he returned into Chicago's mayoral runoff for his political term. He is expected to be terminated to listen and build connections to Chicago neighborhoods.

That's apparent in Emanuel's appointment committee

POLITICS



"IF YOU DON'T SHOW THE VIDEO AND THIS CONTINUES TO HAPPEN, THEN WE'RE STILL HEADED DOWN THAT PATH."
ALD. HOWARD BROOKINS

"IT WOULD INCITE SOMEBODY...TO DO SOMETHING VIOLENT — TO RISE UP IN WAYS THAT AREN'T NECESSARY."
ALD. CARRIE AUSTIN

ISUN-TIMES FILE PHOTOS

Ald. demands release of video

Brookins says dash-cam footage of teen's death must be viewed for CPD to move beyond incident

BY FRAN SPIELMAN
City Hall Reporter

The chairman of the City Council's Black Caucus on Tuesday demanded the release of a potentially incendiary video showing a Chicago Police officer firing 16 shots into the body of slain African-American teenager Laquan McDonald.

Ald. Howard Brookins (21st) acknowledged that the dashboard camera video of one Chicago Police officer unleashing the barrage of gunfire that killed McDonald, 17, on Oct. 20, 2014, as at least five other responding officers exercised restraint would "really inflame the passions of the community-at-large."

But Brookins said that's the price that must be paid if the Chicago Police Department is ever going to confront and move beyond the disparate treatment of African-American men by a "handful" of rogue officers that's become a systemic problem for police across the nation.

An FBI investigation of the fatal shooting and a \$5 million settlement to McDonald's family — even before a lawsuit was filed — should not pre-



Laquan McDonald | SUPPLIED PHOTO

clude the video's release or serve as what one civil rights attorney has called "hush money," Brookins said.

"I'm not worried about rioting or demonstrations. I need this to stop. If you don't show the video and this continues to happen, then we're still headed down that path. . . . It can help us also going forward to come up with policies and practices that will end this once and for all," Brookins said.

"There's no plan to look at the video and I think that situation is outrageous. My understanding is, there's one police officer who's doing the shooting and several police officers standing [around]. . . . I don't understand how this still happens. . . . after countless numbers of police shootings, after [former police officer Anthony] Abbate [was] seen in a bar beating a bar maid. I don't know why this stuff still happens."

He added, "No matter how ugly the situations are, the public has a

right to know. I will stand on your First Amendment rights to show that just like I will stand on a criminal defendant's Fifth Amendment right to shut up."

Ald. Carrie Austin (34th), outspoken chairman of the City Council's Budget Committee, strongly disagreed with Brookins. Austin wants the video kept under wraps.

"It would incite somebody . . . to do something violent — to rise up in ways that aren't necessary," Austin said.

"Some would say that they would rather see it. I think that would be insensitive. Why would you want to even see something like that take place? For you to retaliate is not gonna correct the situation. It has happened. It is done. That individual will receive their punishment. So I don't think we should go on and on with that . . . It would just distraught somebody to do that. Then, we would lose confidence [of] our citizenry. And I don't want that to happen. We worked hard to gain their confidence back."

Corporation Counsel Stephen Patton said the shooting video has been shown to attorneys representing the McDonald family. After viewing it, they have argued that the knife-wielding teenager was continuing to walk away from police at the

time of the shooting.

Patton said the shooting video will be released at the appropriate time, but not while an "active federal and state criminal investigation" is still going on.

"The last thing that any of us want to do is to do something that might interfere with or compromise that pending investigation," Patton said.

"I am confident this video will be released. When could depend on whether charges are brought and . . . what the prosecutor or prosecutors have to say about it. . . . If prosecutors say, 'We want you to hold off on that because we don't want to interfere with the prosecution,' then that would be something we would certainly listen seriously to. But the bottom line is at that appropriate time, this videotape will be released."

Patton refused to speculate on whether releasing the video might incite demonstrations. He simply said that's not the city's motivation for holding back, nor is the \$5 million settlement an attempt to keep the video under wraps.

"Absolutely false. This isn't hush money. We evaluated this settlement the same way we do every other," he said.

Email: fspielman@suntimes.com
Twitter: @fspielman

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EDITORIALS

Why did a Chicago cop shoot Laquan McDonald?

Let's see the videotape

It began with a 911 report that a man with a knife was trying to break into vehicles at a trucking yard on Chicago's Southwest Side and ended with the suspect, 17-year-old Laquan McDonald, shot to death by a police officer. What happened in between?

State and federal prosecutors are conducting a criminal investigation into the fatal shooting Oct. 20, 2014. But city officials have seen enough: On the advice of Corporation Counsel Stephen Patton, the City Council voted 47-0 Wednesday to pre-empt a federal lawsuit by paying McDonald's family \$5 million.

The officer who fired the shots — 16 of them, it turns out — has said he feared for his life. A Fraternal Order of Police spokesman said the officer opened fire after McDonald lunged at him with the knife.

None of five other officers at the scene fired a weapon.

An autopsy confirmed that McDonald was shot in the chest, as the FOP spokesman said. But it also showed he was shot in the scalp, neck, elbow, leg, arms, hand and back.

Lawyers for McDonald's family say he was walking away from police when he was shot. They were prepared to ask for \$16 million.

City attorneys didn't want to gamble with a jury. Patton said video captured by a police cruiser's dashboard camera was crucial to that decision.

So let's see that video.

The still-unidentified officer hasn't been charged with a crime. Federal prosecutors confirmed they are investigating, along with the Cook County state's attorney. If charges are filed, a conviction would require proof beyond a reasonable doubt, a higher burden than for a civil case.

Releasing the video wouldn't compromise that case.

The camera simply recorded the events that played out in front of the cruiser's windshield — details that ought to be part of the narrative supplied to the public.

That's especially important in light of recent cases elsewhere in which video contradicted the accounts presented by police.

Police in North Charleston, S.C., said Walter Scott was fatally shot after a traffic



SCOTT STANTIS

stop because he'd grabbed an officer's Taser. The officer was charged with murder after an eyewitness came forward with video that shows Scott being hit in the back as he tried to run away. It will be up to a jury to decide whether the officer is guilty, but his story might not have been challenged if not for a bystander with a cell-phone.

We have to wonder if the violent protests in Ferguson, Mo., last summer could have been defused if the deadly confrontation between a white police officer and an unarmed black man had been documented on video.

Conflicting witness accounts were magnified by a long-standing lack of trust between the town's mostly black population and its mostly white police force. It would have been easier to determine what happened if the encounter had been taped.

There would likely be fewer such encounters, in fact, if police and citizens assumed there would be a video recorded. That's what the dashcams are for. It's what police body cameras are for. Police departments across the country are increasingly employing them to record interactions between cops and citizens.

In January, Chicago police began a pilot

program that we hope will lead to outfitting all officers with body cameras. The point of the cameras is to increase accountability and public confidence in law enforcement.

That's all out the window if the cops control who sees the video.

A footnote: The McDonald case presents an argument that officers should be equipped not just with cameras, but with Tasers. When McDonald ignored officers' orders to drop the knife, they had to call for backup to bring them a Taser to subdue him. If they'd had one in their cruiser, this whole story might have ended differently.

From: Notz, Jane
Sent: Thursday, April 16, 2015 11:50 AM
To: Holden, John;Patton, Stephen;Darling, Leslie;Collins, Adam;Breymaier, Shannon
Subject: Re: New York Times Editorial/Burge, et al.

In terms of an overview of the Burge matter, I think the only official documents available are the ordinance and resolution introduced at City Council yesterday. Jeff Levine or Vicki Kraft can provide. Jim can provide the spreadsheet describing Burge settlements and pending cases, if you don't already have it.

Sent using OWA for iPhone

From: Holden, John
Sent: Thursday, April 16, 2015 11:41:47 AM
To: Patton, Stephen; Darling, Leslie; Notz, Jane; Collins, Adam; Breymaier, Shannon
Subject: FW: New York Times Editorial/Burge, et al.

This just came in. Let me know if you would like me to hold off on calling back. He also called my landline a couple times. I have copied below Monica's story from yesterday which wrapped up the Burge and McDonald votes.

From: Staples, Brent [mailto:brent@nytimes.com]
Sent: Thursday, April 16, 2015 11:29 AM
To: Holden, John
Subject: New York Times Editorial/Burge, et al.

Hi, John

This is Brent Staples of The New York Times Editorial Page (formerly of The Reader and The Sun-Times)

I am writing on the police matters including in today's Times story by Monica Davey, our Chicago person.

- 1) Is there an official document of some sort that gives an overview of Burge matter?
- 2) Can you say: How many cases have been settled? How many suits still pending?
- 3) The story says the city has spent \$85 million on settlements since Mr. Burge was fired.

Any way to saw how much more will be required

And can you give me a call?

--
Brent Staples
The New York Times Editorial Board
212 556 7407

Chicago Pays \$5 Million to Family of Black Teenager Killed by Officer

By [MONICA DAVEY](#)

APRIL 15, 2015

CHICAGO — The City Council here agreed on Wednesday to pay \$5 million to the family of a black teenager who was fatally shot by a Chicago police officer last fall, as federal and state prosecutors acknowledged that they were conducting a criminal investigation into the shooting.

The council's decision came swiftly and with no debate, even before a suit had been filed in the case by the family of Laquan McDonald, 17, who the police say was wielding a three-inch knife when an officer shot him 16 times on Oct. 20 on the city's Southwest Side. The authorities say a dashboard camera on a police squad car captured the confrontation, though the recording has not been made public.

Chicago's settlement in the case came amid increased scrutiny of police shootings around the nation, as well as a flurry of new attention to police conduct in this city, recent and past.

In a prosecution that officials described as rare for fatal police shootings here, a Chicago police officer is on trial for involuntary manslaughter, among other charges, in the death of a woman near a park in March 2012. The officer, Detective Dante Servin, who was off duty, shot recklessly into a group of people in a darkened alley, killing Rekia Boyd, prosecutors say. But lawyers for Detective Servin have said he believed he saw someone in the group pulling out an item that looked like a weapon.

Separately, the City Council this week began considering a \$5.5 million reparations package for scores of victims of abuse and torture by the police here in the 1970s and '80s under the watch of a notorious police commander, [Jon Burge](#). Mayor Rahm Emanuel announced his [support this week for the long-sought reparations](#), which would include a memorial and a formal apology for the mostly black South Siders who have described being shocked with cattle prods, beaten with phone books and suffocated with plastic bags to compel confessions.

The cases involving Mr. Burge and a group of officers under his command had haunted Chicago and its Police Department for years.

Since Mr. Burge was fired from the department in 1993, the city has paid out some \$85 million in settlements and other costs. Over the years, some of those abused by Mr. Burge and his so-called midnight crew have been cleared and sent home, but efforts are still underway for reviews of the cases of about 20 people who remain in prison.

"This has been a long time coming," said Darrell Cannon, 64, who served more than 24 years in prison for murder after a confession in 1983 that he says was coerced by officers who broke his front teeth when they

shoved a gun barrel into his mouth. While he was incarcerated, Mr. Cannon said, he settled a lawsuit claiming torture for \$3,000, far less than some.

“For the first time, this city is recognizing that black people have been tortured and hurt at the hands of police, and we can take the gains and build on that,” he said. “We’ve been fighting for this for years now.”

Provisions of the reparations plan include free tuition at city colleges; psychological counseling and job training for those abused, as well as their families; financial reparations for those with credible claims of torture; and education about what happened in the Burge cases for Chicago Public School students in eighth and 10th grade. Mr. Emanuel this week described Mr. Burge’s actions as a disgrace, adding, “We stand together as a city to try and right those wrongs and to bring this dark chapter of Chicago’s history to a close.”

After a four-year inquiry, special prosecutors said in 2010 that their investigation had corroborated the abuse claims. Mr. Burge was never directly charged with abuse because of statutes of limitation, but he was convicted in 2010 of perjury and obstruction of justice in connection with the events. He completed his prison sentence this year and receives a pension of \$4,000 a month, officials said.

Little has been made public about the shooting of Mr. McDonald last fall. The name and race of the police officer involved, for instance, have not been released; city officials say a union contract bars them from naming the officer at this point. (The officer has been placed on paid desk duty pending the outcome of the investigations.)

A video recording from the scene has also not been released because, city officials said, it is part of a criminal investigation by the F.B.I. and by the offices of the United States attorney and the Cook County state’s attorney.

From mid-2007 until the end of last year, city records show, Chicago police officers shot some 385 people. Of those, 122, including Mr. McDonald, died.

City officials say the police were answering a 911 call about a man with a knife trying to break into vehicles in a trucking yard when they came upon Mr. McDonald on Oct. 20. He refused to drop the knife, the authorities say, and began walking or jogging away.

A pair of police officers followed him, one on foot and the other in a car, and called for backup from an officer with a [Taser stun gun](#).

At one point, Mr. McDonald pounded on the windshield of the squad car and punctured its front tires with the knife, city officials say, as more officers arrived. In the end, six officers were present when one of them fired a weapon at him, striking him 16 times.

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From: Collins, Adam
Sent: Thursday, April 16, 2015 11:43 AM
To: Holden, John;Patton, Stephen;Darling, Leslie;Notz, Jane;Breymaier, Shannon
Subject: RE: New York Times Editorial/Burge, et al.

Hold off on calling him, please.

Will be in touch shortly

From: Holden, John
Sent: Thursday, April 16, 2015 11:42 AM
To: Patton, Stephen; Darling, Leslie; Notz, Jane; Collins, Adam; Breymaier, Shannon
Subject: FW: New York Times Editorial/Burge, et al.

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From: Holden, John
Sent: Thursday, April 16, 2015 12:14 PM
To: Peters, Lynda;Platt, Thomas;Franklin, Liza
Subject: RE: Records request. (Attorney Work Product)

FYI and FWIIW – this statement from Steve below is what we provided to a couple of news media outlets late yesterday.

“The last thing that any of us want is to do something that might interfere with or compromise the pending investigation by prosecutors, but we are confident this video will be released at the appropriate time when their investigation is complete.”

From: Peters, Lynda
Sent: Thursday, April 16, 2015 12:09 PM
To: Platt, Thomas; Franklin, Liza
Cc: Holden, John
Subject: RE: Records request. (Attorney Work Product)

Adding Liza.

Tom – can you please give me a call so I can find out what you have? Thanks.

From: Holden, John
Sent: Thursday, April 16, 2015 10:41 AM
To: Patton, Stephen; Darling, Leslie; Platt, Thomas
Cc: Peters, Lynda; Rasmus, Chloe; Breymaier, Shannon
Subject: FW: Records request.

This just in:

From: Gorner, Jeremy [<mailto:jgorner@chicagotribune.com>]
Sent: Thursday, April 16, 2015 10:39 AM
To: Holden, John
Subject: Records request.

Hey John,

I'm filing a request under the Illinois Freedom of Information Act for any and all documents relating to the settlement between the City of Chicago and the estate of LaQuan McDonald (Tina Hunter, his mother, is the administrator). The settlement was for \$5 million and it's a Cook County probate case under Case No. 14P7092.

If in your view any of the above records contain information you deem to be exempt from disclosure under the privacy 7(1) (c) or work product 7 (1) (f) provisions of the Freedom of Information Act please redact that portion of the record and provide the remainder, specifying the precise nature of the redacted information and the specific exemption on which you would rely in the event I was to ask for its disclosure.

Jeremy Gorner
Reporter – Chicago Tribune
O: [312-222-4569](tel:312-222-4569)
C: [312-912-3967](tel:312-912-3967)

Sent from my iPhone

This e-mail, and any attachments thereto, is intended only for use by the addressee(s) named herein and may contain legally privileged and/or confidential information. If you are not the intended recipient of this e-mail (or the person responsible for delivering this document to the intended recipient), you are hereby notified that any dissemination, distribution, printing or copying of this e-mail, and any attachment thereto, is strictly prohibited. If you have received this e-mail in error, please respond to the individual sending the message, and permanently delete the original and any copy of any e-mail and printout thereof.

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From: Collins, Adam
Sent: Thursday, April 16, 2015 12:34 PM
To: Holden, John;Patton, Stephen;Darling, Leslie;Breymaier, Shannon
Subject: RE: Follow up Re: Laquan McDonald.

I put a call into Brent just a minute ago. Will let you know as soon as we connect

----- Original message -----

From: "Holden, John" <John.Holden@cityofchicago.org>
Date: 04/16/2015 11:57 AM (GMT-06:00)
To: "Patton, Stephen" <Stephen.Patton@cityofchicago.org>, "Darling, Leslie" <Leslie.Darling@cityofchicago.org>, "Collins, Adam" <Adam.Collins@cityofchicago.org>, "Breymaier, Shannon" <Shannon.Breymaier@cityofchicago.org>
Subject: FW: Follow up Re: Laquan McDonald.

Another email from Staples.

From: Staples, Brent [<mailto:brent@nytimes.com>]
Sent: Thursday, April 16, 2015 11:56 AM
To: Holden, John
Subject: Follow up Re: Laquan McDonald.

Will The Mayor approve the settlement voted by the council?

--

Brent Staples
The New York Times Editorial Board
212 556 7407

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From: Holden, John
Sent: Thursday, April 16, 2015 1:40 PM
To: Collins, Adam;Patton, Stephen;Darling, Leslie;Breymaier, Shannon
Subject: Re: Follow up Re: Laquan McDonald.

Hi Adam - it was approved by the full council yesterday so I believe it is final but I will double check to see if there is any stipulation on any of this. I am at Daley Center now for Nouveau hearing but will email a couple folks in interim.

From: Collins, Adam
Sent: Thursday, April 16, 2015 1:31:33 PM
To: Holden, John; Patton, Stephen; Darling, Leslie; Breymaier, Shannon
Subject: RE: Follow up Re: Laquan McDonald.

I'll pull answers on this, most of this we've said before. The settlement is final now, right?

They will say that we should release the video in McDonald and that while the feds may not want us to do that there's nothing that legally prevents us from doing so.

They also think it's strange that we would settle a case before a suit was even filed.

They also want info on Burge but it doesn't sounds like they have a huge opinion on it.

My guess is that they tie McDonald to national incidents and say we owe it to the public to release the video. They'll talk about about Burge as a part of how chicago is still dealing with police issues of the past.

----- Original message -----

From: "Holden, John" <John.Holden@cityofchicago.org>
Date: 04/16/2015 11:57 AM (GMT-06:00)
To: "Patton, Stephen" <Stephen.Patton@cityofchicago.org>, "Darling, Leslie" <Leslie.Darling@cityofchicago.org>, "Collins, Adam" <Adam.Collins@cityofchicago.org>, "Breymaier, Shannon" <Shannon.Breymaier@cityofchicago.org>
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The New York Times Editorial Board
212 556 7407

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From: Collins, Adam
Sent: Thursday, April 16, 2015 1:55 PM
To: Holden, John;Patton, Stephen;Darling, Leslie;Breymaier, Shannon
Subject: RE: Follow up Re: Laquan McDonald.

Are folks comfortable with this? I still need to circulate over here.

NYT ed board is doing a piece about the Laquan McDonald video and Burge reparations. My guess is that they tie McDonald to national incidents and say we owe it to the public to release the video. They'll talk about about Burge as a part of how Chicago is still dealing with police issues of the past.

They will say that we should release the video in McDonald and that while the feds may not want us to do that there's nothing that legally prevents us from doing so.

- "The last thing that any of us want is to do something that might interfere with or compromise the pending investigation by prosecutors, but we are confident this video will be released at the appropriate time when their investigation is complete." - Steve Patton

They also think it's strange that we would settle a case before a suit was even filed.

- "This is not uncommon. The family had already indicated that they were prepared to file a suit and we believed this was the most prudent course of action." - Steve Patton

They also want info on Burge but it doesn't sound like they have a huge opinion on it.

- let's send them our release

----- Original message -----

From: "Holden, John" <John.Holden@cityofchicago.org>

Date: 04/16/2015 1:53 PM (GMT-06:00)

To: "Collins, Adam" <Adam.Collins@cityofchicago.org>, "Patton, Stephen"

<Stephen.Patton@cityofchicago.org>, "Darling, Leslie" <Leslie.Darling@cityofchicago.org>, "Breymaier, Shannon" <Shannon.Breymaier@cityofchicago.org>

Subject: Re: Follow up Re: Laquan McDonald.

Got confirmation that it is final upon council passage.

From: Collins, Adam
Sent: Thursday, April 16, 2015 1:31:33 PM
To: Holden, John; Patton, Stephen; Darling, Leslie; Breymaier, Shannon
Subject: RE: Follow up Re: Laquan McDonald.

I'll pull answers on this, most of this we've said before. The settlement is final now, right?

They will say that we should release the video in McDonald and that while the feds may not want us to do that there's nothing that legally prevents us from doing so.

They also think it's strange that we would settle a case before a suit was even filed.

They also want info on Burge but it doesn't sounds like they have a huge opinion on it.

My guess is that they tie McDonald to national incidents and say we owe it to the public to release the video. They'll talk about about Burge as a part of how chicago is still dealing with police issues of the past.

----- Original message -----

From: "Holden, John" <John.Holden@cityofchicago.org>

Date: 04/16/2015 11:57 AM (GMT-06:00)

To: "Patton, Stephen" <Stephen.Patton@cityofchicago.org>, "Darling, Leslie"

<Leslie.Darling@cityofchicago.org>, "Collins, Adam" <Adam.Collins@cityofchicago.org>, "Breymaier, Shannon" <Shannon.Breymaier@cityofchicago.org>

Subject: FW: Follow up Re: Laquan McDonald.

Another email from Staples.

From: Staples, Brent [<mailto:brent@nytimes.com>]

Sent: Thursday, April 16, 2015 11:56 AM

To: Holden, John

Subject: Follow up Re: Laquan McDonald.

Will The Mayor approve the settlement voted by the council?

--

Brent Staples

The New York Times Editorial Board

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From: Ewing, Clothilde
Sent: Thursday, April 16, 2015 3:43 PM
To: Collins, Adam; Update_List
Subject: Re: NYT Ed Board inquiry: Police/law issues

From: Collins, Adam
Sent: Thursday, April 16, 2015 3:36:55 PM
To: Ewing, Clothilde; Update_List
Subject: RE: NYT Ed Board inquiry: Police/law issues

Ultimately, they want the video out now, so the line isn't going to be very persuasive anyways and I'm not sure we want to insert him into any more than he already is. I feel like we do better leaving it as a law issue. We could strengthen it this way though

- "We do not want to interfere with or compromise the pending criminal investigation by federal and state law enforcement authorities, but ~~we are confident~~ this video will be released at the appropriate time when their investigation is complete." - Chicago Department of Law statement.

From: Ewing, Clothilde
Sent: Thursday, April 16, 2015 3:28 PM
To: Collins, Adam; Update_List
Subject: Re: NYT Ed Board inquiry: Police/law issues

I don't have a strong opinion on this, but is there value in making clear that the mayor wants the video out as well.

From: Collins, Adam
Sent: Thursday, April 16, 2015 2:58:20 PM
To: Update_List
Subject: NYT Ed Board inquiry: Police/law issues

NYT ed board is doing a piece about the Laquan McDonald video and Burge reparations. My guess is that they tie McDonald to national incidents and say we owe it to the public to release the video. They'll talk about Burge as a part of how Chicago is still dealing with police issues of the past.

Here are their questions and what we would like to have Law say.

Any issues?

They will say that we should release the video in McDonald and that while the feds may not want us to do that there's nothing that legally prevents us from doing so.

- "We do not want to interfere with or compromise the pending criminal investigation by federal and state law enforcement authorities, but we are confident this video will be released at the appropriate time when their investigation is complete." - Chicago Department of Law statement.

**CHAIN CONTINUES AS
PREVIOUSLY PRODUCED**

From: Patton, Stephen
Sent: Thursday, April 16, 2015 5:26 PM
To: Collins, Adam; Schrader, Lisa; Ewing, Clothilde; Update_List; Rountree, Janey; Darling, Leslie
Subject: RE: NYT Ed Board inquiry: Police/law issues

From: Collins, Adam
Sent: Thursday, April 16, 2015 5:16 PM
To: Schrader, Lisa; Ewing, Clothilde; Update_List; Rountree, Janey; Darling, Leslie; Patton, Stephen
Subject: RE: NYT Ed Board inquiry: Police/law issues

Looping back here

----- Original message -----

From: "Collins, Adam" <Adam.Collins@cityofchicago.org>
Date: 04/16/2015 4:17 PM (GMT-06:00)
To: "Schrader, Lisa" <Lisa.Schrader@cityofchicago.org>, "Ewing, Clothilde" <Clothilde.Ewing@cityofchicago.org>, Update_List <Update_List@cityofchicago.org>, "Rountree, Janey" <Janey.Rountree@cityofchicago.org>, "Darling, Leslie" <Leslie.Darling@cityofchicago.org>, "Patton, Stephen" <Stephen.Patton@cityofchicago.org>
Subject: RE: NYT Ed Board inquiry: Police/law issues

That's a good flag. How about this as an edit?

They will say that we should release the video in McDonald and that while the feds may not want us to do that there's nothing that legally prevents us from doing so.

They also think it's strange that we would settle a case before a suit was even filed.

Does the Mayor need to approve the settlement now?

They also want info on Burge but it doesn't sounds like they have a huge opinion on it.

**CHAIN CONTINUES AS
PREVIOUSLY PRODUCED**

From: Darling, Leslie
Sent: Thursday, April 16, 2015 5:10 PM
To: Dominguez, Patricia
Subject: Fwd: McDonald
Attachments: Signed Release and POA.pdf; ATT00001.htm

Please print.

Begin forwarded message:

From: "Platt, Thomas" <Thomas.Platt@cityofchicago.org>
To: "Darling, Leslie" <Leslie.Darling@cityofchicago.org>
Subject: RE: McDonald

attached

-----Original Message-----

From: Darling, Leslie
Sent: Thursday, April 16, 2015 4:50 PM
To: Platt, Thomas
Subject: McDonald

Please send me the final signed settlement agreement. Thanks.

This e-mail, and any attachments thereto, is intended only for use by the addressee(s) named herein and may contain legally privileged and/or confidential information. If you are not the intended recipient of this e-mail (or the person responsible for delivering this document to the intended recipient), you are hereby notified that any dissemination, distribution, printing or copying of this e-mail, and any attachment thereto, is strictly prohibited. If you have received this e-mail in error, please respond to the individual sending the message, and permanently delete the original and any copy of any e-mail and printout thereof.

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IN THE MATTER OF THE ESTATE OF)	
LaQUAN McDONALD also known as)	No. 14 P 7092
LeQUAN McDONALD, deceased, by its)	
Independent Administrator, Tina Hunter)	
)	
v.)	
)	
CITY OF CHICAGO)	

RELEASE AND SETTLEMENT AGREEMENT

Tina Hunter, mother of decedent LaQuan McDonald (also known as LeQuan McDonald), and independent administrator of the Estate of LaQuan McDonald, (hereafter, “the Estate of LaQuan McDonald”), by her attorneys, Jeffrey J. Neslund and Michael D. Robbins and City of Chicago, by its attorney, Stephen R. Patton, Corporation Counsel of the City of Chicago, Thomas J. Platt, Deputy Corporation Counsel, herein stipulate and agree to the following:

1. The Estate of LaQuan McDonald 14 P 7092, Circuit Court of Cook County, has brought a claim against City of Chicago and its employee, Chicago Police Officer Jason Van Dyke, Star 9465, Officer Joseph Walsh, Star 12865, Detective David March, Star 20563, Sergeant Daniel Gallagher, Star 1303, Lieutenant Anthony Wojcik, Star 481, Detective Richard Hagen, Star 20606 and other Chicago Police officers and employees of the City of Chicago arising out of the fatal shooting of LaQuan McDonald on October 20, 2014 for which the Estate of LaQuan McDonald claims damages.
2. City of Chicago denies Estate of LaQuan McDonald’s allegations of wrongdoing and further denies any liability.
3. The parties and their respective attorneys acknowledge that settlement of this claim is not an admission of liability, or of unconstitutional or illegal conduct by or on the part of the City of Chicago of its future, current or former officers, agents and employees, and shall not

serve as evidence of any wrongdoing by or on the part of the City of Chicago or its future, current or former officers, agents and employees. The parties and their respective attorneys further acknowledge that settlement is made to avoid the uncertainty of the outcome of any litigation and the expense in time and money of litigation and for the purpose of judicial economy.

4. In consideration of the hereinafter indicated settlement entered pursuant to this Release and Settlement Agreement, and upon advice of counsel, the Estate of LaQuan McDonald agrees not to file any lawsuit, claim or cause of action of any kind at any time in any jurisdiction, including, but not limited to, any claims under the Illinois Wrongful Death Act, the Illinois Survival Act and claims under 42 U.S.C. §1983 against City of Chicago, Officer Jason Van Dyke, Star 9465, Officer Joseph Walsh, Star 12865, Detective David March, Star 20563, Sergeant Daniel Gallagher, Star 1303, Lieutenant Anthony Wojcik, Star 481, Detective Richard Hagen, Star 20606 or of any its current, future or former officers, agents and employees with respect to the incident set forth in paragraph one of this Release and Settlement Agreement except solely in the event that the Chicago City Council rejects the hereinafter indicated settlement, with each party bearing its own costs and attorneys' fees. The Estate of Laquan McDonald agrees it will be required to execute this Release and Settlement agreement prior to the City's presentation of the settlement agreement to the Chicago City Council and that the Estate of LaQuan McDonald's offer to settle on these terms shall not be revoked or otherwise repudiated unless the Chicago City Council rejects the settlement agreement.

5. The City of Chicago and Estate of LaQuan McDonald agree that the fact or existence and terms of this settlement agreement, including but not limited to this Release and Settlement Agreement, shall remain confidential until the Chicago City Council approves an ordinance authorizing this agreement. The City of Chicago and Estate of LaQuan McDonald and its attorneys further acknowledge and agree that there is an ongoing criminal investigation by the

federal and state authorities of the incident which is the subject of this release and settlement agreement (“incident”), and that potential evidence and materials (“materials”) relating to this investigation and potential criminal charges, were obtained by the Estate of LaQuan McDonald in response to subpoenas issued in the matter of Estate of LaQuan McDonald, 14 P 7092, Circuit Court of Cook County. The City of Chicago submits that release or dissemination of these materials could interfere with and have an adverse impact on the ongoing criminal investigation and potential charges brought with respect to this incident. Estate of LaQuan McDonald and its attorneys therefore agree not to publicly release, disclose or disseminate the materials obtained through subpoenas issued in 14 P 7092 (“materials”), until the completion of the pending criminal investigations and, if criminal charges are brought, the conclusion of such criminal charges by way of plea agreement, trial or dismissal, unless these materials are otherwise publicly disclosed or disclosed as required by law or court order. Estate of LaQuan McDonald and its attorneys agree that they will not make any copies or distribute these materials to any other persons or entities and will provide seven days written notice to the City of Chicago, its attorneys or successors prior to any publication, dissemination or release of the above mentioned materials.

6. Estate of LaQuan McDonald accepts a settlement from defendant, City of Chicago, in the total amount of FIVE MILLION DOLLARS AND NO/100 DOLLARS (\$5,000,000.00), inclusive of all costs and attorney’s fees.

7. The City’s obligations pursuant to this Release and Settlement Agreement are conditioned upon approval of the settlement agreement by the Chicago City Council. The City will not be obligated to perform its obligations pursuant to this Release and Settlement Agreement until the following events occur: (1) the City receives a copy of this Release and Settlement Agreement executed by the Estate of LaQuan McDonald and its attorney; (2) the

Chicago City Council enacts an ordinance authorizing settlement and payment of the funds agreed upon in this Release and Settlement Agreement.

8. The City agrees to pay plaintiff the total settlement amount as specified in paragraph 5 herein within thirty (30) days of receipt by the Corporation Counsel's Office of a fully executed settlement agreement and an ordinance of the City Council authorizing the settlement as described in paragraph 6. This sum shall be payable solely by the City of Chicago, and Estate of LaQuan McDonald and its attorneys agree that they will not seek payment from any source other than the City of Chicago. The settlement check will be made payable to Estate of LaQuan McDonald and its attorneys and any lien claims of which the City has notice. The City states it has no notice of any liens. Subject to court approval, the Estate may designate all or a portion of the funds as damages on account of personal injuries or sickness within the meaning of Section 104 (a)(2) of the Internal Revenue Code, as amended.

9. In consideration of this settlement entered pursuant to this Release and Settlement Agreement, Estate of LaQuan McDonald agrees to indemnify and hold harmless the City of Chicago, and its future, current, or former officers, agents and employees including, but not limited to, Officer Jason Van Dyke, Star 9465, Officer Joseph Walsh, Star 12865, Detective David March, Star 20563, Sergeant Daniel Gallagher, Star 1303, Lieutenant Anthony Wojcik, Star 481 and Detective Richard Hagen, Star 20606 from any claims, losses, damages or expenses, including attorneys' fees and costs, incurred, or which may be incurred, by reason of any lien or any other claim or interest held by any person, entity or corporation against any moneys received or to be received by Estate of LaQuan McDonald under this settlement entered pursuant to this Release and Settlement Agreement.

10. Estate of LaQuan McDonald, upon advice of counsel, understands and agrees that in consideration of the settlement entered pursuant to this Release and Settlement Agreement,

Estate of LaQuan McDonald does hereby release and forever discharge on behalf of himself and his heirs, executors, administrators and assigns, all claims he had or has against Officer Jason Van Dyke, Star 9465, Officer Joseph Walsh, Star 12865, Detective David March, Star 20563, Sergeant Daniel Gallagher, Star 1303, Lieutenant Anthony Wojcik, Star 481 and Detective Richard Hagen, Star 20606 and the City of Chicago, and its future, current or former officers, agents and employees, including but not limited to all claims he had, has, or may have in the future, under local, state, or federal law, arising either directly or indirectly out of the incident which was the basis of this claim and any potential litigation, and that such release and discharge also is applicable to any and all unnamed agents, employees, officers or persons affiliated with the City of Chicago.

11. This Release and Settlement Agreement and any documents that may be executed under paragraph 13 herein contain the entire agreement between the parties with regard to the settlement of this claim, and shall be binding upon and inure to the benefit of the parties hereto, jointly and severally, and the heirs, executors, administrators, personal representatives, successors, and assigns of each.

12. This Release and Settlement Agreement is entered into in the State of Illinois and shall be construed and interpreted in accordance with its laws. Terms contained herein shall not be construed against a party merely because that party is or was the principal drafter.

13. In entering into this Release and Settlement Agreement, Estate of LaQuan McDonald represents that it has relied upon the advice of its attorney, who is the attorney of its choice, and that the terms of this Release and Settlement Agreement have been interpreted, completely read and explained to the independent administrator by its attorney, and that those terms are fully understood and voluntarily accepted by the Estate of LaQuan McDonald. Estate of LaQuan McDonald also represents and warrants that no other person or entity has or has had any

interest in the claims or causes of action referred to herein, that the independent administrator and its attorney have the sole right and exclusive authority to execute this Release and Settlement Agreement and receive the sums specified herein, and that they have not sold, assigned, transferred, conveyed, or otherwise disposed of any of the claims or causes of action referred to herein.

14. All parties agree to cooperate fully and to execute any and all supplementary documents and to take all additional actions which are consistent with and which may be necessary or appropriate to give full force and effect to the basic terms and intent of this Release and Settlement Agreement including compliance with any orders of the Circuit Court of Cook County with regard to any payment or disposition of funds.

Tina Hunter
Estate of LaQuan McDonald, deceased
by its Independent Administrator, Tina
Hunter
Address: 1415 S. Central Pk. - 1A
Chicago IL 60623
Date of birth: 6/24/82
*SSN: _____

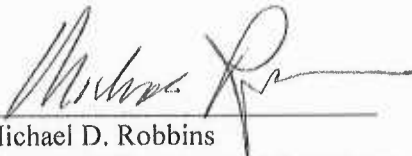
*Providing SSN is voluntary
Jeffrey J. Neslund
Jeffrey J. Neslund Attorney for Estate
of LaQuan McDonald
Law Offices of Jeffrey J. Neslund
20 N. Wacker Drive, Suite 3710
Chicago, Illinois 60606
(312) 223-1100

FEIN: 41-2154678
DATE: 4-8-15

City of Chicago
a Municipal Corporation

Stephen Patton
Corporation Counsel
Attorney for City of Chicago

BY: Thomas J. Platt, 4/8/2015
Thomas Platt
Attorney for City of Chicago
Deputy Corporation Counsel
30 N. LaSalle St., Suite 900
Chicago, Illinois 60602
(312) 744-4833



Michael D. Robbins
Michael D. Robbins and Associates
Attorney for Estate of LaQuan McDonald
20 N. Wacker Drive, Suite 3710
Chicago, Illinois 60606
(312) 223-1100

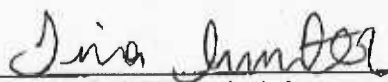
FEIN: _____
DATE: 4/8/15

LIMITED POWER OF ATTORNEY

I, TINA HUNTER, the Administrator of the Estate of Laquan McDonald, agree to and do appoint MICHAEL D. ROBBINS and JEFFREY J. NESLUND as my true and lawful attorneys, and in my name and stead to endorse any and all checks or drafts received to settle all potential claims against all responsible parties arising out of the death of Laquan McDonald that could be brought against the City of Chicago and any other responsible party, and deposit them in an Attorney Client Funds Account; giving and granting unto MICHAEL D. ROBBINS and JEFFREY J. NESLUND said attorneys, full power and authority to do and perform the above referenced act, and to disburse those funds pursuant to an Authorization to Settle.

This Limited Power of Attorney will also grant unto MICHAEL D. ROBBINS and JEFFREY J. NESLUND said attorneys, full power and authorization to sign any Release and Settlement Agreements on my behalf.

IN TESTIMONY WHEREOF, having read the foregoing, and understanding and agreeing to same, I have set my hand and seal this 27 day of March, 2015.



TINA HUNTER, Administrator of the
Estate of Laquan McDonald

** VENDOR CODE ONLY **

CITY OF CHICAGO
DEPARTMENT OF PROCUREMENT SERVICES
FINANCIAL MANAGEMENT PROCUREMENT SYSTEM (FMPS FORM F-5A)

REQUEST FOR SUPPLIER CODE NUMBER
OR
NEW/ADDED SUPPLIER INFORMATION

INSTRUCTIONS: USE THIS FORM TO REQUEST ADDING A NEW SUPPLIER OR JOINT VENTURE TO THE FMPS SUPPLIER FILE. A UNIQUE SUPPLIER NUMBER WILL BE ASSIGNED. NOTE: FORWARD REQUEST TO DEPARTMENT OF PROCUREMENT SERVICES, DATA ENTRY/CODING SECTION, ROOM 403, CITY HALL, 121 NORTH LASALLE, CHICAGO, IL., 60620, TELEPHONE (312) 744-7664 or (312) 744-0728. FAX NUMBER (312) 742-5597.

REQUESTING DEPARTMENT INFORMATION

REQUEST DATE: April 8, 2015

REQUEST BY: Lorraine McGregor DEPARTMENT Law-FCRL

TELEPHONE NO. 312-744-8977 FAX NO. 312-744-6566 ADDRESS 30 N. LaSalle, 900

SUPPLIER NO. lorraine.mcgregor@cityofchicago.org
(ASSIGNED BY PROCUREMENT DATA ENTRY/CODING SECTION)

***NEW OR ADDED SITE (Please Circle Only One)**
SUPPLIER SITE REQUEST INFORMATION

\$ 5,000,000.00

*1099 Reporting: YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	BOX 3 <input type="checkbox"/>	BOX 7 <input type="checkbox"/>	BOX 14 <input type="checkbox"/>
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*SUPPLIER (COMPANY or INDIVIDUAL) NAME: Law Ofc of Jeffrey J. Neslund/Michael D. Robbins & Assoc./Estate of LaQuan McDonald by Special Admin., Tina Hunter

*FEIN NUMBER/SOCIAL SECURITY NUMBER: 41-2154678

*SUPPLIER ADDRESS: 20 N. Wacker Drive, Suite 3710

*(CITY, STATE AND ZIP CODE): Chicago, IL 60606

*SITE NAME
(I.E.: OFFICE, HEADQUARTERS OR SALES): Office

SUPPLIER:
*TELEPHONE NO. 312-223-1100 FAX NO. _____

EMAIL ADDRESS: _____

SUPPLIER CONTACT PERSON INFORMATION

*SUPPLIER CONTACT PERSON NAME with PREFIX (Mr., Mrs., Miss): Jeffrey J. Neslund/Michael D. Robbins *SS# 326-40-3301*

CONTACT PERSON TITLE: Attorneys

CONTACT PERSON:
*TELEPHONE NO. 312-223-1100 FAX NO. _____

EMAIL ADDRESS: _____

PAYMENT ADDRESS (IF SAME, INDICATE "SAME AS ABOVE")

*SUPPLIER NAME FOR PAYMENT: Same as above

*ACCOUNT NUMBER (IF APPLICABLE): Same as above

*SUPPLIER ADDRESS: 20 N. Wacker Drive, Suite 3710

(CITY, STATE AND ZIP CODE): _____

*** ASTERISK DENOTES REQUIRED INFORMATION ***



DEPARTMENT OF LAW
CITY OF CHICAGO

April 8, 2015

Michael D. Robbins
Michael D. Robbins and Associates
20 N. Wacker Drive, Suite 3710
Chicago, Illinois 60606

Jeffrey J. Neslund
Law Offices of Jeffrey J. Neslund
20 N. Wacker Drive, Suite 3710
Chicago, Illinois 60606

Re: Settlement in the Matter of *Estate of LaQuan McDonald*, 14 P 7092

Dear Mr. Robbins and Mr. Neslund:

The City of Chicago's Law Department will present the settlement recommendation reached in the above named case to the City Council's Finance Committee on April 13, 2015 for approval of the Release and Settlement Agreement signed by all parties. If the Finance Committee approves the agreement, it is expected that it will be presented to the full council for approval on April 15, 2015. Corporation Counsel Stephen R. Patton is fully committed to presenting this settlement and has advised all the pertinent individuals of his intent. Mr. Patton will personally present this matter to the Finance Committee on Monday assuming we have a signed Release and Settlement Agreement.

If you have any questions or need anything further, please contact me.

Very truly yours,

Thomas J. Platt
Deputy Corporation Counsel
City of Chicago, Department of Law
(312)-744-4833

From: Breymaier, Shannon
Sent: Thursday, April 16, 2015 8:52 PM
To: REMOC
Cc: Schrader, Lisa;Quinn, Kelley
Subject: Tomorrow's News

Follow Up Flag: Follow up
Flag Status: Completed

FRIDAY

AMTV: MRE's added investments in tree trimming results in increased productivity.

AMTV: CPS announces Ready to Learn fairs to promote registration for preschool programs.

AMTV: Bridge lifts will begin Saturday

Everyone: continuing stories on the Federal Investigation at CPS.

Possibly everyone: Briefs on Brown Line trains being rerouted to the Red Line subway this weekend due to track work associated with the Ravenswood Connector Rehabilitation project. CTA will provide free bus shuttles serving at/near affected stations and a shuttle train in the Loop for connections to Brown Line service and shuttle buses.

WBBM, DNA Info: Stories on Cook County Commissioner Richard Boykin's request that the County Police help patrol the streets of Austin on the West side. CPD said violence is not an issue of manpower but rather stems from the number of illegal guns flooding the street. We also provided crime numbers to show the improvements in Austin over the last few years.

CT/Editorial: Piece will be critical of the Board of Education for approving the SUPES contract.

NYT Editorial (possible): Piece about the Laquan McDonald video and Burge reparations. We expect they will tie McDonald to national incidents and say the city owes it to the public to release the video. They'll talk about Burge as a part of how Chicago is still dealing with police issues of the past. Law provided statements the match what we have said this week, and said the video will be released after the investigation is over.

Crain's/Corfman: Story about the working group on paid leave. We said the task force will be launched next month to tackle issues like expanding paid sick and parental leave and providing protections to shift workers.

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Sent: Thursday, April 16, 2015 8:53 PM
To: Breymaier, Shannon
Subject: Tomorrow's News

Follow Up Flag: Follow up
Flag Status: Completed

FRIDAY

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From: Collins, Adam
Sent: Tuesday, April 21, 2015 6:33 AM
To: Holden, John
Cc: Breymaier, Shannon
Subject: Fwd: (NEWS) NY TIMES: The Violent Legacy of Chicago's Police

Follow Up Flag: Follow up
Flag Status: Flagged

Remember when we said it was a mistake not to take the easy opportunity to set the record right on some basic points bring asked by Mary Mitchell? Read to the bottom

----- Original message -----

From: NewsClips <NewsClips@cityofchicago.org>
Date: 04/21/2015 4:33 AM (GMT-06:00)
To:
Subject: (NEWS) NY TIMES: The Violent Legacy of Chicago's Police

[The Violent Legacy of Chicago's Police](#)

NY TIMES // Editorial Board // April 21, 2015

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On the same day, in a separate case that is still fresh in the public's mind, the Council [awarded](#) \$5 million to the family of Laquan McDonald, a black teenager who was shot 16 times by a police officer in October. The shooting spawned a federal investigation, rattled public trust and raised troubling accusations of a police cover-up. The Council's decision to pay was made before a lawsuit was filed, but this cannot be the end of the case. The city needs to release a police dash-cam video of the shooting that it has withheld on grounds that releasing it might interfere with the federal investigation.

The shooting of Mr. McDonald, who was 17, brought back bitter memories of the days when Mayor Richard J. Daley and the Police Department ruled Chicago with an iron hand. Between 1972 and 1991, lawyers say, about 120 mainly African-American men were picked up by Mr. Burge's "midnight crew," shocked with cattle prods, beaten with telephone books and suffocated with plastic bags until they confessed to crimes. Mr. Burge was ultimately fired in 1993 after he was linked to a torture case. Statutes of limitation protected him from charges of abuse, but, in 2010, he was sentenced to four and a half years in prison for perjury and obstruction of justice.

The reparations plan will provide substance abuse treatment, counseling and other services to Burge victims and their immediate family members, as well as free tuition at city colleges. The plan also includes a formal City Council apology and a permanent memorial recognizing the victims. The case will be included in eighth and 10th grade history classes in city public schools. In addition, a \$5.5 million fund will be created to provide financial reparations to individuals with a credible claim.

Settlements like these are necessary and justified, but they are also a serious drain on Chicago's precarious finances at a time when the city is closing schools and mental health clinics. According to [a 2014 study](#) by the city's Better Government Association, the government has spent more than \$500 million on claims related to police misconduct in the last decade alone.

These losses underscore the failings of a Police Department that cannot seem to shake its lamentable past and, to this day, is poorly trained, poorly managed and ruled by an ingrained culture of hair-trigger violence. Over the last seven years, Chicago police have killed more 120 people. Mr. Emanuel described the reparations plan as a way to bring a dark chapter of the city's history to a close. But, even as he spoke, federal and state investigators were combing the city for information about the McDonald shooting.

Last October, a spokesman for the police union said that officers shot the teenager because he refused drop a knife he was carrying. Witnesses have said that he was moving away from the officers and was shot while lying on the ground.

A lawyer for the family who had viewed a police video taken at the scene told the Chicago Sun-Times columnist Mary Mitchell [last week](#) that Mr. McDonald was not menacing the officers or running when he was shot and that the officer continued to fire once the young man had fallen. He further asserted that 86 minutes of surveillance video taken by security cameras at a Burger King restaurant near the scene of the shooting had gone missing and that Chicago detectives had visited the restaurant.

The city has declined to release the police video because of the continuing investigation. But that's a flimsy excuse. The public deserves to see this evidence, and the longer the delay the greater the suspicion against a department that has a history of violating the public's trust.

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From: Holden, John
Sent: Tuesday, April 21, 2015 9:35 AM
To: Patton, Stephen
Cc: Darling, Leslie
Subject: The Violent Legacy of Chicago's Police

Subject: (NEWS) NY TIMES: The Violent Legacy of Chicago's Police

[The Violent Legacy of Chicago's Police](#)

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From: Breymaier, Shannon
Sent: Tuesday, April 21, 2015 11:33 AM
To: Darling, Leslie
Subject: FW: (NEWS) NY TIMES: The Violent Legacy of Chicago's Police

Shannon Breymaier
O: 312-744-9045 C: 312-859-2719
Shannon.Breymaier@cityofchicago.org

From: Collins, Adam
Sent: Tuesday, April 21, 2015 6:33 AM
To: Holden, John
Cc: Breymaier, Shannon
Subject: Fwd: (NEWS) NY TIMES: The Violent Legacy of Chicago's Police

Remember when we said it was a mistake not to take the easy opportunity to set the record right on some basic points bring asked by Mary Mitchell? Read to the bottom

----- Original message -----

From: NewsClips <NewsClips@cityofchicago.org>
Date: 04/21/2015 4:33 AM (GMT-06:00)
To:
Subject: (NEWS) NY TIMES: The Violent Legacy of Chicago's Police

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**CHAIN CONTINUES AS
PREVIOUSLY PRODUCED**

From: Holden, John
Sent: Tuesday, April 21, 2015 6:07 PM
To: Patton, Stephen
Subject: FW: Just posted S-T editorial on McDonald video

Hi Steve – here is what I sent earlier today shortly after it posted.

From: Holden, John
Sent: Tuesday, April 21, 2015 1:49 PM
To: Patton, Stephen; Darling, Leslie; Platt, Thomas; Franklin, Liza
Cc: Breymaier, Shannon; Collins, Adam; Maloney, Martin
Subject: Just posted S-T editorial on McDonald video

Release the LaQuan McDonald video

Posted: 04/21/2015, 01:40pm | [Sun-Times Editorial Board](#)
LaQuan McDonald

Of course the video should be released.

Every video of every police shooting should be made public, always, whether in North Charleston, South Carolina, or in Chicago, Illinois. Or why should anybody believe anybody? Why should anybody, to be blunt, assume anything but the worse about the police?

Hide nothing. Deny nothing. And don't pretend the video cannot be released because of an ongoing investigation. Nonsense.

EDITORIAL

Two weeks ago, Sun-Times columnist Mary Mitchell was the first in the media to call for the release of a dash-cam video said to show how 17-year-old LaQuan McDonald was shot 16 times, fatally, by a Chicago Police officer. After interviewing an attorney who had seen the video, Mitchell called for its release even before the Chicago City Council approved a \$5 million settlement in the case — a settlement in which the city acknowledges no wrongdoing by anybody.

As the lawyer described the video, McDonald, back on Oct. 20, was walking down the middle of Pulaski Road at 40th Street. He was holding a knife in his right hand. But he was not running or lunging, just walking.

Two officers jumped out a police vehicle with guns drawn, separated from McDonald by a lane of traffic. One officer shot McDonald 16 times. Neither officer, inexplicably, was reportedly equipped with a Taser gun.

The FBI is investigating, which is well and good. But Chicagoans deserve to know — really must know — right now what's on that video.

Chicagoans want to believe in the police. Chicagoans know they do a dangerous job. But in return for that faith and trust, Chicagoans demand full transparency — a complete owning up by the police, for better or worse, at all times.

Release the video.

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From: Collins, Adam
Sent: Wednesday, April 22, 2015 12:10 AM
To: Schrader, Lisa; Spielfogel, David; Ewing, Clothilde; Rendina, Michael; Deal, Joe; Quinn, Kelley
Subject: Mikva Q&A
Attachments: Q&A - 2015.04.22.docx

Follow Up Flag: Follow up
Flag Status: Completed

Attached is a Q&A I put together for Mikva tomorrow. We're in with him at 8:45. Below are the topics we'll cover.

JOBS
NEIGHBORHOOD INVESTMENTS
CPS INVESTIGATION
EDUCATION
RAUNER PUSHING BANKRUPTCY AS AN OPTION FOR CPS
CRIME/SAFETY
OBAMA LIBRARY
PRESIDENTIAL RACE
MENTAL HEALTH
ETHICS

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From: Maloney
Sent: Monday, April 27, 2015 7:34 PM
Subject: Tomorrow's News

ST/WBEZ/ABC7/CBS2/NBC5: Coverage of today's detective graduation ceremony. The Superintendent talked to the media about how these ceremonies are important for department morale, addressed questions about Dante Servin and the Laquan McDonald shooting.

ST: Frank Main story on CPD's announcement of a community outreach tour, which will help the department gather resident feedback, and continue to foster the type of ongoing dialogue necessary to build and sustain trust. Frank talked to a pastor who spoke favorably of the concept and will also cite other Departments around the country who have implemented similar programs.

From: Collins, Adam
Sent: Friday, April 24, 2015 6:57 PM
To: Maloney, Martin
Cc: Rottner, Jennifer E.;Rountree, Janey
Subject: Re: Laquan McDonald story...FYI.

+Janey

What is the story? He said he mentioned it to you previously. Is this one we've discussed?

From: Maloney, Martin <Martin.Maloney@chicagopolice.org>
Sent: Friday, April 24, 2015 6:47 PM
To: Collins, Adam
Cc: Rottner, Jennifer E.
Subject: Fwd: Laquan McDonald story...FYI.

My lack of best effort and more bad news today is continuing with this one.

Jeremy Gorner just called me. The trib is publishing the name of the officer involved in the McDonald shooting.

See his email below for all the details. I'm not sure what we can say since investigations are still going on.

Advise on how you want to respond.

Begin forwarded message:

From: "Gorner, Jeremy" <jgorner@chicagotribune.com>
Date: April 24, 2015 at 6:40:12 PM CDT
To: "Maloney, Martin" <Martin.Maloney@chicagopolice.org>
Subject: Laquan McDonald story...FYI.

Hey Marty,

So, the story on the Laquan McDonald shooting investigation I talked to you about is running either Sunday or Monday, I've been told.

We're going to name the officer who fired the 16 shots -- Officer Jason Van Dyke.

We're going to get into a prior lawsuit that Van Dyke was involved in that settled for \$350,000. We're going to mention the complaints he's received over the years.

We're going to get into the statement that CPD News Affairs released after the October shooting of McDonald, and FOP spokesman Pat Camden's statements on that incident. And

we'll also present what was in the autopsy report, and talk briefly about McDonald's wounds.

We've also spoken with Dan Herbert, Van Dyke's lawyer, who said the officer is a 14-year CPD veteran, is highly decorated and well-regarded, and "acted appropriately and within department guidelines."

I just wanted to be transparent about this and give you the opportunity to comment, if you'd like.

Again, the story is likely to run Sunday or Monday, so if you'd like to comment, we'd need something tonight.

Thanks.

Jeremy.

Sent from my iPhone

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From: Collins, Adam
Sent: Friday, April 24, 2015 8:26 PM
To: Maloney, Martin
Cc: Rottner, Jennifer E.;Rountree, Janey
Subject: Re: Laquan McDonald story...FYI.

Follow Up Flag: Follow up
Flag Status: Completed

Anything on this?

From: Maloney, Martin <Martin.Maloney@chicagopolice.org>
Sent: Friday, April 24, 2015 6:47 PM
To: Collins, Adam
Cc: Rottner, Jennifer E.
Subject: Fwd: Laquan McDonald story...FYI.

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From: Collins, Adam
Sent: Friday, April 24, 2015 8:40 PM
To: Schrader, Lisa; Spielfogel, David; Ewing, Clothilde; Rendina, Michael; Deal, Joe; Quinn, Kelley; Rountree, Janey; Breymaier, Shannon; Patton, Stephen; Darling, Leslie
Subject: New: Trib on Laquan McDonald

Follow Up Flag: Follow up
Flag Status: Completed

CPD just found out that the Trib is publishing the name of the officer who shot Laquan McDonald (Jason Van Dyke) in a story on either Sunday or Monday. It sounds like they've gone back through the CR's from the past four years (which they previously received through FOIA) and will mention the complaints he's received over the years. They will also discuss a prior lawsuit that the officer was involved in that settled for \$350,000.

They spoke with Dan Herbert, Van Dyke's lawyer, who said the officer is a 14-year CPD veteran, is highly decorated and well-regarded, and "acted appropriately and within department guidelines."

From the little information we have from the Tribune it doesn't sound like there's anything else new in the story. They'll discuss the statement that CPD News Affairs released after the October shooting of McDonald, and FOP statements on that incident. They'll also present what was in the autopsy report, and talk briefly about McDonald's wounds.

They offered CPD further comment, but I don't think there's anything else they can say.

In the past they have just said: The officer has been stripped of his police powers and put on desk duty pending the outcome of the investigation.

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From: Breymaier, Shannon
Sent: Friday, April 24, 2015 8:46 PM
To: REMOC
Cc: Schrader, Lisa;Fe Claypool;Quinn, Kelley
Subject: Weekend News

Follow Up Flag: Follow up
Flag Status: Completed

WEEKEND NEWS

Everyone: Stories about MRE's new COS. May include comments about Forrest Claypool MRE made during the Arbor Day event.

Everyone: Stories about a dog that was left in an ACC van for five days after an adoption event. ACC said the dog received immediate medical treatment and is healthy, and that the incident is being investigated.

Possibly everyone (Saturday): Coverage of CTA/CFD emergency preparedness exercise of a subway train fire. The event will evaluate response actions and adherence to procedures and coordination among multiple agencies during an emergency.

All TVs, CT/Byrne, DNAInfo: Coverage of MRE at Arbor Day tree planting event.

TVs: Coverage of the ribbon-cutting for MetroSquash in Woodlawn

ABC7, CBS2, WGN9, CT/Podmolik: Coverage of Large Lots closing.

CBS (possible): Story on NFL draft. May report that the city isn't being paid by NFL to host event. We said on background that large scale events rarely, if ever pay the host cities. We also said no taxpayer dollars are being used, it is a free event for thousands of residents and that the event will bring in hundreds of millions of dollars in free publicity – in media stories and continuing visibility – that will benefit the city for years to come.

ABC7: Report on yesterday's incident at Neil ES in which a teacher allegedly placed a garbage bag over a student's head. The student was unharmed and there is no indication that the teacher intended to harm the student.

ST/Schlikerman, Catalyst/Karp: Stories about charter school responses being posted for review today.

CT/Finley (Sunday): Sports section story on the NFL draft – how Chicago got it and how it will benefit residents and the city. MRE was interviewed for the piece.

CT/Hilkevitch (Monday): Column on the status of the procurement of CTA's newest railcars, the 7000-series. Story will note extension of procurement schedule by two months at the request of potential bidders, who asked for more time to put together their submissions.

CT (Sunday or Monday): Story on the fatal police shooting of Laquan McDonald. They say they will publish the name of the CPD officer who shot McDonald, which had previously not been public knowledge. Will outline the officer's CR history and a previous settlement in which he was involved.

ST/Fitz: Story on B3's contract. Fitz will emphasize that her contract was extended for another year.

ST/Sfondeles (Saturday): Story on the closing of the Community Counseling Centers of Chicago (C4). C4 is a delegate agency of CPDH and received \$75K from the city to provide psychiatric services. CDPH said they are working with C4 to assist in transitioning patients to new providers.

ST/Lansu (Sunday): Story about the increase in murders in Logan Square this year and over the past few years. CPD pushed back showing the overall crime and shootings are down significantly in the area. CPD also explained the efforts the district has undertaken to address crime in the area.

ST/Dudek (Monday): Story about Ald. Beale and Ald-elect Taliaferro complaining that they don't have Divvy stations in their wards. CDOT said they agree with the value of ensuring more residents have access to Divvy and talked about how this expansion will allow them to expand to more neighborhoods in the future.

Crain's/Ecker (Monday, online Saturday): Story about Choose Chicago's 'Unbeatable Incentives' campaign, which is designed to attract new conventions to Chicago.

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From: Ewing, Clothilde
Sent: Sunday, April 26, 2015 8:38 AM
To: Rountree, Janey;Collins, Adam;Quinn, Kelley;Bennett, Kenneth;Rendina, Michael;Rapelyea, Sean
Cc: Schrader, Lisa
Subject: Monday Meeting

Follow Up Flag: Follow up
Flag Status: Completed

Hi all -

I would like to pull this group together for a meeting on Monday to discuss a couple of upcoming issues that I think we can all be helpful in formulating a plan on. One of the topics of discussion will be Laquan McDonald. Please let me know if you will not be in the office on Monday. Otherwise, I will work on finding a time when we are all available and will send a calendar invite.

Thanks in advance!

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From: Breymaier, Shannon
Sent: Monday, April 27, 2015 11:20 AM
To: Collins, Adam;Quinn, Kelley;Mondry, Lauren;Faulman, Mike
Cc: Jennifer Rottner;Martin Maloney;Rountree, Janey;Hall, Abby
Subject: RE: CPD graduation

I'll make sure Molly gets Fran the info and we'll circle back to the list if we need to amend the statement/TPs to address her Qs.

Shannon Breymaier
O: 312-744-9045 C: 312-859-2719
Shannon.Breymaier@cityofchicago.org

From: Collins, Adam
Sent: Monday, April 27, 2015 11:19 AM
To: Quinn, Kelley; Mondry, Lauren; Faulman, Mike
Cc: Jennifer Rottner; Martin Maloney; Rountree, Janey; Hall, Abby; Breymaier, Shannon
Subject: RE: CPD graduation

+shannon, who I thought I added earlier.

He wants to make sure everyone gets followed up with to push the backgrounds

----- Original message -----

From: "Collins, Adam" <Adam.Collins@cityofchicago.org>
Date: 04/27/2015 11:13 AM (GMT-06:00)
To: "Quinn, Kelley" <Kelley.Quinn@cityofchicago.org>, "Mondry, Lauren" <Lauren.Mondry@cityofchicago.org>, "Faulman, Mike" <Mike.Faulman@cityofchicago.org>
Cc: Jennifer Rottner <Jennifer.Rottner@chicagopolice.org>, Martin Maloney <Martin.Maloney@chicagopolice.org>, "Rountree, Janey" <Janey.Rountree@cityofchicago.org>, "Hall, Abby" <Abby.Hall@cityofchicago.org>
Subject: RE: CPD graduation

Fran chased him down the hallway with the rat of her friends in tow and asked him about grid garbage.

He just said we'll take a look at the recommendations and go from there

----- Original message -----

From: "Collins, Adam" <Adam.Collins@cityofchicago.org>
Date: 04/27/2015 10:38 AM (GMT-06:00)
To: "Quinn, Kelley" <Kelley.Quinn@cityofchicago.org>, "Mondry, Lauren" <Lauren.Mondry@cityofchicago.org>, "Faulman, Mike" <Mike.Faulman@cityofchicago.org>
Cc: Jennifer Rottner <Jennifer.Rottner@chicagopolice.org>, Martin Maloney <Martin.Maloney@chicagopolice.org>, "Rountree, Janey" <Janey.Rountree@cityofchicago.org>, "Hall, Abby" <Abby.Hall@cityofchicago.org>
Subject: RE: CPD graduation

+ shannon for awareness

Fran is here on DSS audit and reaction to Garry's comments, so we'll get him out

----- Original message -----

From: "Quinn, Kelley" <Kelley.Quinn@cityofchicago.org>

Date: 04/27/2015 10:27 AM (GMT-06:00)

To: "Collins, Adam" <Adam.Collins@cityofchicago.org>, "Mondry, Lauren" <Lauren.Mondry@cityofchicago.org>, "Faulman, Mike" <Mike.Faulman@cityofchicago.org>

Cc: Jennifer Rottner <Jennifer.Rottner@chicagopolice.org>, Martin Maloney <Martin.Maloney@chicagopolice.org>, "Rountree, Janey" <Janey.Rountree@cityofchicago.org>, "Hall, Abby" <Abby.Hall@cityofchicago.org>

Subject: RE: CPD graduation

Agree.

From: Collins, Adam

Sent: Monday, April 27, 2015 10:26 AM

To: Mondry, Lauren; Faulman, Mike

Cc: Quinn, Kelley; Jennifer Rottner; Martin Maloney; Rountree, Janey; Hall, Abby

Subject: RE: CPD graduation

+Clo

Fran, Byrne, Ed, Cameron and Katie from WBEZ are here

Ed and Byrne don't really care. they might take something on the right to work hearing tomorrow.

Cameron is just here because we provided a van, but would ask about Laquan McDonald and the former HS basketball star who was shot and killer over the weekend.

Working on Fran next, but I'm guessing it's off message.

Unless there are objections I want to pass on the gaggle and push Garry at them

----- Original message -----

From: "Mondry, Lauren" <Lauren.Mondry@cityofchicago.org>

Date: 04/27/2015 9:28 AM (GMT-06:00)

To: "Faulman, Mike" <Mike.Faulman@cityofchicago.org>

Cc: "Quinn, Kelley" <Kelley.Quinn@cityofchicago.org>, Jennifer Rottner <Jennifer.Rottner@chicagopolice.org>, Martin Maloney <Martin.Maloney@chicagopolice.org>, "Rountree, Janey" <Janey.Rountree@cityofchicago.org>, "Collins, Adam" <Adam.Collins@cityofchicago.org>, "Hall, Abby" <Abby.Hall@cityofchicago.org>

Subject: Re: CPD graduation

Alderman balcer is here

Sent from my iPhone

On Apr 27, 2015, at 9:26 AM, "Faulman, Mike" <Mike.Faulman@cityofchicago.org> wrote:

You all showed Chicago a great example of the hard work you all do and this will pay dividends with the kids, their parents and our community. They all truly appreciated the calls and he thanked them for letting the kids win.

Also, I am working on having them honored at the May 6th city council

Pete Kalenic was the Mayor congressional intern back in his Chicago office.

From: Quinn, Kelley
Sent: Monday, April 27, 2015 9:23:39 AM
To: Faulman, Mike
Cc: Jennifer Rottner; Martin Maloney; Rountree, Janey; Mondry, Lauren; Collins, Adam; Hall, Abby
Subject: Re: CPD graduation

Do you know what he said to them? Might drop it to Sneed. With both pics.

On Apr 27, 2015, at 9:19 AM, Faulman, Mike <Mike.Faulman@cityofchicago.org> wrote:

Thanks all. Mayor personally thanked each of the officers. Thanks Marty and Jen

From: Rottner, Jennifer E. <Jennifer.Rottner@chicagopolice.org>
Sent: Monday, April 27, 2015 9:11:07 AM
To: Quinn, Kelley
Cc: Maloney, Martin; Rountree, Janey; Faulman, Mike; Mondry, Lauren; Collins, Adam; Hall, Abby
Subject: RE: CPD graduation

Here are the other two officers in the photo:

Paul Stanczyk -1 (773) [REDACTED]
Paul Komisaruk -1 (847) [REDACTED]

From: Quinn, Kelley [<mailto:Kelley.Quinn@cityofchicago.org>]
Sent: Monday, April 27, 2015 9:09 AM
To: Rottner, Jennifer E.
Cc: Maloney, Martin; Rountree, Janey; Faulman, Mike; Mondry, Lauren; Collins, Adam; Hall, Abby
Subject: Re: CPD graduation

Thanks

On Apr 27, 2015, at 9:08 AM, Rottner, Jennifer E.
<Jennifer.Rottner@chicagopolice.org> wrote:

Yes, there were 4 officers total, but Officer Kalenic and Karas were the ones who did the media interviews. I am working on getting the numbers of the other two officers as we speak.

From: Quinn, Kelley [<mailto:Kelley.Quinn@cityofchicago.org>]
Sent: Monday, April 27, 2015 9:08 AM
To: Maloney, Martin
Cc: Rountree, Janey; Faulman, Mike; Mondry, Lauren; Collins, Adam; Hall, Abby; Rottner, Jennifer E.
Subject: Re: CPD graduation

Weren't there more than two though?

On Apr 27, 2015, at 9:06 AM, Maloney, Martin
<Martin.Maloney@chicagopolice.org> wrote:

+Jen

Officer Pete Kalenik [773-████████](tel:773-████████) (he was the one holding the football)
Officer Olivia Karas [773-████████](tel:773-████████) (she took the photo)

Jen is trying to track down the other number.

From: Rountree, Janey
[\[mailto:Janey.Rountree@cityofchicago.org\]](mailto:Janey.Rountree@cityofchicago.org)
Sent: Monday, April 27, 2015 9:00 AM
To: Faulman, Mike; Mondry, Lauren; Collins, Adam; Maloney, Martin
Cc: Hall, Abby; Quinn, Kelley
Subject: RE: CPD graduation

Marty,
Please see below. Will you assist with this?
Thanks

From: Faulman, Mike
Sent: Monday, April 27, 2015 8:42 AM
To: Mondry, Lauren; Collins, Adam
Cc: Hall, Abby; Quinn, Kelley; Rountree, Janey
Subject: Re: CPD graduation

Janey and adam-

Can you find me the cells of the two police officers who played football with those kids in north lawndale?

Their names are:
Officer olivia karas
Officer pete Kalenic

He wants to call them before 10 am. Can you help?

From: Mondry, Lauren
Sent: Monday, April 27, 2015 8:08:56 AM
To: Collins, Adam
Cc: Faulman, Mike; Hall, Abby; Quinn, Kelley
Subject: Re: CPD graduation

Will do I will have her come out where the group pictures are taken so he can see her before te program

Sent from my iPhone

On Apr 27, 2015, at 8:07 AM, "Collins, Adam" <Adam.Collins@cityofchicago.org> wrote:

Negative on a gaggle, unless Kelley feels otherwise

----- Original message -----

From: "Faulman, Mike"
<Mike.Faulman@cityofchicago.org>
Date: 04/27/2015 8:04 AM (GMT-06:00)
To: "Mondry, Lauren"
<Lauren.Mondry@cityofchicago.org>, "Collins, Adam"
<Adam.Collins@cityofchicago.org>
Cc: "Hall, Abby"
<Abby.Hall@cityofchicago.org>, "Quinn, Kelley"
<Kelley.Quinn@cityofchicago.org>
Subject: CPD graduation

Good Morning
Hope youall had a good weekend.

Lauren- Harold lewis's from our detail, his wife is graduating today. Can you work with detail and find her so MRE can have a moment with her and harold?

Don't think we have any other changes.
Think you wanna do a gaggle Adan and Kelley?

Thanks all
Mike

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From: Collins, Adam
Sent: Monday, April 27, 2015 11:21 AM
To: Quinn, Kelley; Mondry, Lauren; Faulman, Mike; Breymaier, Shannon
Cc: Jennifer Rottner; Martin Maloney; Rountree, Janey; Hall, Abby
Subject: RE: CPD graduation

Follow Up Flag: Follow up
Flag Status: Completed

That's exactly what he said. It was super short

----- Original message -----

From: "Quinn, Kelley" <Kelley.Quinn@cityofchicago.org>
Date: 04/27/2015 11:17 AM (GMT-06:00)
To: "Collins, Adam" <Adam.Collins@cityofchicago.org>, "Mondry, Lauren" <Lauren.Mondry@cityofchicago.org>, "Faulman, Mike" <Mike.Faulman@cityofchicago.org>, "Breymaier, Shannon" <Shannon.Breymaier@cityofchicago.org>
Cc: Jennifer Rottner <Jennifer.Rottner@chicagopolice.org>, Martin Maloney <Martin.Maloney@chicagopolice.org>, "Rountree, Janey" <Janey.Rountree@cityofchicago.org>, "Hall, Abby" <Abby.Hall@cityofchicago.org>
Subject: RE: CPD graduation

I need to know exactly what he said b/c we need to amend whatever statement we have put together on this immediately. Adding Shannon.

From: Collins, Adam
Sent: Monday, April 27, 2015 11:13 AM
To: Quinn, Kelley; Mondry, Lauren; Faulman, Mike
Cc: Jennifer Rottner; Martin Maloney; Rountree, Janey; Hall, Abby
Subject: RE: CPD graduation

Fran chased him down the hallway with the rat of her friends in tow and asked him about grid garbage.

He just said we'll take a look at the recommendations and go from there

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Subject: RE: CPD graduation

CHAIN CONTINUES AS
PREVIOUSLY PRODUCED

From: Quinn, Kelley
Sent: Monday, April 27, 2015 11:21 AM
To: Collins, Adam; Mondry, Lauren; Faulman, Mike
Cc: Jennifer Rottner; Martin Maloney; Rountree, Janey; Hall, Abby; Breymaier, Shannon
Subject: RE: CPD graduation

Yes but can you please elaborate on what he said to Fran?

From: Collins, Adam
Sent: Monday, April 27, 2015 11:19 AM
To: Quinn, Kelley; Mondry, Lauren; Faulman, Mike
Cc: Jennifer Rottner; Martin Maloney; Rountree, Janey; Hall, Abby; Breymaier, Shannon
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Cc: Jennifer Rottner <Jennifer.Rottner@chicagopolice.org>, Martin Maloney <Martin.Maloney@chicagopolice.org>, "Rountree, Janey" <Janey.Rountree@cityofchicago.org>, "Hall, Abby" <Abby.Hall@cityofchicago.org>
Subject: RE: CPD graduation

+ shannon for awareness

Fran is here on DSS audit and reaction to Garry's comments, so we'll get him out

**CHAIN CONTINUES AS
PREVIOUSLY PRODUCED**

From: Breymaier, Shannon
Sent: Monday, April 27, 2015 8:51 PM
To: REMOC
Cc: Schrader, Lisa;Quinn, Kelley;Fe Claypool
Subject: Tomorrow's News

Follow Up Flag: Follow up
Flag Status: Completed

TUESDAY

AMTV: Chicago Bike Week begins June 12

Possibly everyone: Coverage of NTSB Board discussion of 3/24/14 Blue Line O'Hare crash. CTA notes that immediately following incident, we took a number of steps to further improve safety. CTA also announced changes to worker scheduling to help ensure the safest environment for both customers and workers. The changes created some of the most stringent guidelines among U.S. transit agencies, and reaffirmed CTA's commitment to safety.

ST, WBEZ, ABC7, CBS2, NBC5: Coverage of today's detective graduation ceremony. The Supt talked about how these ceremonies are important for department morale, addressed questions about Dante Servin and the Laquan McDonald shooting.

ABC7, CBS2 (possible): Coverage of MRE at the great lakes economic forum

WGN9 (possible): Story about police being called to 65th/King Drive due to a disturbance on a CTA bus. No customer injuries; operator transported with minor injury. CPD is investigating.

WGN9: Coverage of Junior Achievement celebrating their 75th anniversary of service today at West Park Elementary. David Vitale delivered remarks.

FOX32/Lewis: Story on local organizations and agencies across the city are doing to protect the rights of transgender individuals. CPS provided a statement and background on our transgender guidelines that were implemented this school year.

WBEZ/Vevey: Story about Aramark and its contract which will not realize as much in savings as predicted.

CT/Rubin, WBEZ/Heffernan: Coverage of the closure of mental health provider C4. CDPH reiterated that they are working with C4 and other providers to assure a smooth transition for all of their clients.

ST/Fran, Crain's/Hinz: Coverage of the IG's report on grid garbage collection. DSS said that they appreciate the work of the IG on this audit and that the IG acknowledged the department's reforms and efficiencies, which have saved taxpayer dollars. DSS explained the reforms made under MRE and also provided background on the benefits of the program.

ST/Main: Placed story on CPD's announcement of a community outreach tour, which will help the department gather resident feedback, and continue to foster the type of ongoing dialogue necessary to build and sustain trust. Frank talked to a pastor who spoke favorably of the concept and will also cite other Depts around the country who have implemented similar programs.

ST/Mitchell: Column about Rep. Rush's efforts to name the 31st street harbor named after the late Dr. Margaret Burroughs. Parks said they have identified a number of park locations to be considered to rename and dedicate to the late Dr. Burroughs, and that we have come very close to a recommendation that will be presented for public input in the near future.

USAToday/Armour (possible): Story about how the NFL draft came to Chicago; will include interview with MRE.

DNAinfo/Cox: Story on supporters of reinstating portion of CTA bus route #11 and supporters who have previously sought bus service on 31st Street banding together and saying they hope a new CTA president will reinstate service, following story on this topic couple of weeks ago. CTA is reminding reporter of reasons for not reinstating service, including redundancy with Brown Line and multiple bus routes (#11) and lack of demand (31st street).

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From: Breymaier, Shannon
Sent: Monday, April 27, 2015 8:52 PM
To: Breymaier, Shannon
Subject: Tomorrow's News

Follow Up Flag: Follow up
Flag Status: Completed

TUESDAY

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From: Collins, Adam
Sent: Tuesday, April 28, 2015 7:10 AM
To: Update_List
Subject: Q&A
Attachments: Q&A - 2015.04.28.docx

Follow Up Flag: Follow up
Flag Status: Completed

We're looking at a gaggle today after Method, and attached is Q&A. We're planning to prep in the car on the way.

Please let me know if you have any questions or feedback. I'll put it on his desk this morning.

RIGHT TO WORK
NFL DRAFT
POLICE RELATIONSHIPS/NATIONAL DISCUSSION/LOCAL INSTANCES
CONTACT CARDS
ACC
OBAMA AND LUCAS BILL
CPS INVESTIGATION
CTU CONTRACT NEGOTIATIONS
COUNCIL CHAIRS
DSS IG AUDIT

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From: Cooper, Tarrah
Sent: Tuesday, April 28, 2015 12:21 PM
To: Collins, Adam
Subject: FW: (NEWS) TRIBUNE: McCarthy concerned that charges against cop could cause officers to hesitate

Follow Up Flag: Follow up
Flag Status: Flagged

Well done on this!

From: NewsClips
Sent: Tuesday, April 28, 2015 7:32 AM
Subject: (NEWS) TRIBUNE: McCarthy concerned that charges against cop could cause officers to hesitate

[McCarthy concerned that charges against cop could cause officers to hesitate](#)

TRIBUNE // Jeremy Gerner // April 27, 2015

Chicago police Superintendent [Garry McCarthy](#) said Monday he was concerned that the criminal charges against an off-duty detective involved in a fatal shooting in 2012 might cause other officers to hesitate before opening fire when they feel their lives are in danger.

"It provides a safety hazard," McCarthy told reporters after a promotion ceremony at Navy Pier for about 100 new detectives and several captains and commanders. "And my concern was how is this going to affect policing in general in the [Chicago Police Department](#) because every single officer who's out there now might be in a position where they hesitate, and as a result, they could lose their lives."

McCarthy said he didn't think Detective Dante Servin should have been criminally charged, but he wouldn't explain why, saying he wanted to wait until the Independent Police Review Authority, the city agency that probes police-involved shootings and officer misconduct, completes its investigation. The agency had put its probe on hold until Servin's acquittal last week on a charge of involuntary manslaughter.

Prosecutors had alleged that Servin acted recklessly when he fired five shots over his shoulder from inside his Mercedes at four people in a dark alley near Douglas Park.

Servin's attorneys said he was in fear for his life after Antonio Cross, one of the four, pulled an object from his waistband, pointed it at Servin and ran toward his car. Servin believed the object was a gun, but police found only a cellphone. Cross suffered a graze wound to his hand, while 22-year-old Rekia Boyd was fatally shot in the back of the head.

Judge Dennis Porter ruled last week that prosecutors failed to prove Servin acted recklessly — an essential element to the involuntary manslaughter charge — because he pointed a gun at his intended victim and fired, an act he said that Illinois courts have consistently held is an intentional act, not a reckless one. The only proper charge in such a case, Porter said, would be first-degree murder.

"... It's something that should not have happened, period. Absolutely, positively not," McCarthy said in reference to Boyd's death. "But what I will point out to you ... is that Detective Servin hit the individual who he was aiming at. He also happened to hit her."

Meanwhile, McCarthy also briefly discussed the ongoing federal probe into the fatal police shooting of 17-year-old Laquan McDonald, who was shot by Chicago police Officer Jason Van Dyke 16 times in October. The Tribune first reported Van Dyke's identity in a front-page story Sunday that revealed that a lawsuit alleged the officer had handcuffed a motorist so violently during a 2007 traffic stop that he seriously injured both

shoulders. A federal jury later found Van Dyke and his partner used excessive force against Ed Nance and awarded him \$350,000 in damages.

McCarthy said he backed the release of dashboard-camera video footage of the McDonald shooting but not before a federal investigation is completed.

"We're not going to release or do anything that's going to compromise that investigation," he said.

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From: Collins, Adam
Sent: Wednesday, April 29, 2015 8:07 AM
To: Quinn, Kelley;Martin Maloney;Rountree, Janey;Schrader, Lisa;Fe Claypool
Subject: RE: (NEWS) TRIBUNE: Emanuel won't say if he backs top cop's views on fatal shooting by officer

Follow Up Flag: Follow up
Flag Status: Completed

Yeah. I can give him a buzz this morning

----- Original message -----

From: "Quinn, Kelley" <Kelley.Quinn@cityofchicago.org>
Date: 04/29/2015 7:56 AM (GMT-06:00)
To: "Collins, Adam" <Adam.Collins@cityofchicago.org>, Martin Maloney <Martin.Maloney@chicagopolice.org>, "Rountree, Janey" <Janey.Rountree@cityofchicago.org>, "Schrader, Lisa" <Lisa.Schrader@cityofchicago.org>, Fe Claypool <FeClaypool@transitchicago.com>
Subject: Fwd: (NEWS) TRIBUNE: Emanuel won't say if he backs top cop's views on fatal shooting by officer

Adam or Marty,
Please call Bill and straighten him out on why we can't release the video. Thanks.

Begin forwarded message:

From: NewsClips <NewsClips@cityofchicago.org>
Date: April 29, 2015 at 7:44:50 AM CDT
Subject: (NEWS) TRIBUNE: Emanuel won't say if he backs top cop's views on fatal shooting by officer

[Emanuel won't say if he backs top cop's views on fatal shooting by officer](#)

TRIBUNE // Bill Ruthhart // April 29, 2015

Mayor [Rahm Emanuel](#) on Tuesday declined to say whether he agreed with Chicago police Superintendent [Garry McCarthy](#)'s assertion that an off-duty detective should not have faced criminal charges in the 2012 fatal shooting of a woman.

The mayor also did not say whether he backed McCarthy's comment that the victim "also happened" to be hit by Detective Dante Servin's gunfire as the off-duty cop "hit the individual who he was aiming at."

Questions about Chicago police shootings were in the forefront following Servin's acquittal last week and the city's continued refusal to release dashboard camera footage in the case of Laquan McDonald, a 17-year-old shot 16 times and killed by Officer Jason Van Dyke. That case is being investigated by the FBI.

Emanuel faced the questions a day after McCarthy discussed the Servin case. Prosecutors charged Servin with involuntary manslaughter, alleging the officer acted recklessly when he fired five shots over his shoulder from inside his Mercedes in the direction of four people who had their backs to him in a dark West Side alley in March 2012.

Last week, a judge ruled the manslaughter charge did not apply because prosecutors failed to prove Servin acted recklessly since he pointed a gun at an intended victim and fired. The only proper charge, the judge ruled, would have been murder.

Asked Monday about the judge's ruling based on a legal technicality, McCarthy said the officer never should have been charged in the first place, but declined to say why.

Servin's attorneys argued he shot at one of the four people in the alley, Antonio Cross, after the man pulled an object from his waistband, pointed it at Servin and ran toward his car. Servin believed the man had a gun, his attorneys argued, but police found only a cellphone.

Cross suffered only a graze wound to his hand while Rekia Boyd, a 22-year-old woman standing nearby, was fatally shot in the back of the head.

"It's something that should not have happened. Absolutely, positively not," McCarthy said Monday. "But what I will point out to you ... is that Detective Servin hit the individual who he was aiming at. He also happened to hit her."

McCarthy also said prosecutors' decision to charge Servin created a "safety hazard," arguing that "every single officer who's out there now might be in a position where they hesitate, and as a result, they could lose their lives."

On Tuesday, Emanuel was asked if he agreed with McCarthy's insistence that Servin should never have been charged and whether he believed his top cop's comments about the officer hitting his target were appropriate given the fact that an innocent woman died. The mayor did not directly answer the question, citing an ongoing Independent Police Review Authority evaluation of the case.

"Right now, you know that situation is being looked at by IPRA," Emanuel said. "So, I'm not going to comment on that."

Emanuel, however, did not say why the independent authority's review prevented him from weighing in on whether he supported McCarthy's comments. Instead, the mayor chose to focus on McCarthy's recently launched "listening tour."

The mayor said the idea is for McCarthy and his top district commanders to strengthen their ties in the community by talking with "religious leaders and community leaders" in their neighborhoods. Emanuel, though, bristled when asked why such an effort was necessary when McCarthy had been running the department for the last four years.

"The question is not a fair question," Emanuel responded. "It's building on the introduction, four years ago, of community policing."

[Chicago Police Department](#) leaders long have engaged in concepts they've described as community policing, far pre-dating the Emanuel administration. The department's Chicago Alternative Policing Strategy, or CAPS, community policing program started in 1992.

The discussion on Chicago's police practices comes as Baltimore endured violent riots this week after the funeral of Freddie Gray, a 25-year-old African-American man who died in police custody there. A reporter asked Emanuel on Tuesday whether he had watched the coverage of the Baltimore police protests and if he worried about something similar happening in Chicago.

"Of course, I watch. If the TV's on, you watch it," Emanuel responded. "This listening tour, while you do kind of watch what's happening in Baltimore, is an outgrowth of things we've been doing step-by-step methodically over the last four years and going forward. I'll be honest. There are good days at this and bad days."

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From: Peters, Lynda
Sent: Wednesday, April 29, 2015 11:02 AM
To: Holden, John;Rasmas, Chloe;Darling, Leslie;Breymaier, Shannon
Subject: RE: Records request
Attachments: Janssen fed subpoenas McDonald 042915.docx

Response letter attached – no responsive documents. We can send it out tomorrow.

Lynda A. Peters
City Prosecutor
Legal Information, Investigations & Prosecutions Division
City of Chicago Law Department
30 N. LaSalle, Suite 1720
Chicago, IL 60602
312-744-2816

Confidential and privileged communication.

From: Holden, John
Sent: Tuesday, April 28, 2015 5:31 PM
To: Rasmas, Chloe; Peters, Lynda; Darling, Leslie; Breymaier, Shannon
Subject: FW: Records request

FYI

From: Janssen, Kim [<mailto:kjanssen@suntimes.com>]
Sent: Tuesday, April 28, 2015 1:11 PM
To: Holden, John
Cc: Maloney, Martin
Subject: Records request

John -

I'm following up on the Laquan McDonald case. Have the city or the police department received any federal subpoenas relating to McDonald's death? And, if so, can I please see them?

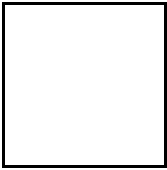

You can consider this a request under the Freedom of Information Act. But if you are able to expedite your response, that would be much appreciated.

Please feel free to call me on 312 285 6660 if you have any questions.

Regards,

Kim

--

	<p>Kim Janssen Staff Reporter News m: 312-285-6660 e:kjanssen@suntimes.com w:chicago.suntimes.com a: 350 N. Orleans 10th Fl Chicago, IL 60654</p>
	

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City of Chicago
Rahm Emanuel, Mayor

Department of Law

Stephen R. Patton
Corporation Counsel

121 North LaSalle Street
Suite 600
Chicago, Illinois 60602
(312) 744-0220
(312) 744-5185 fax

www.cityofchicago.org

April 29, 2015

Response via email

Kim Janssen
Reporter, Chicago Sun-Times
kjanssen@suntimes.com

Dear Ms. Janssen:

On behalf of the City of Chicago Law Department, this letter is in response to your Freedom of Information Act ("FOIA") request which was received in our offices on April 28, 2015. Your FOIA request states:

I'm following up on the Laquan McDonald case. Have the city or the police department received any federal subpoenas relating to McDonald's death? And, if so, can I please see them?

You can consider this a request under the Freedom of Information Act. But if you are able to expedite your response, that would be much appreciated.

The Law Department has no documents responsive to your request.

Sincerely,

John M. Holden
Freedom of Information Officer

From: Platt, Thomas
Sent: Thursday, April 30, 2015 5:33 PM
To: Holden, John
Subject: Body chart
Attachments: 88-04302015.pdf

From McDonald, LaQuan, police area file

Thomas J. Platt
Deputy Corporation Counsel
Federal Civil Rights Division
30 N. LaSalle Street, Suite 900
Chicago, Illinois 60602
312-744-4833

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R. E. C #14-1071

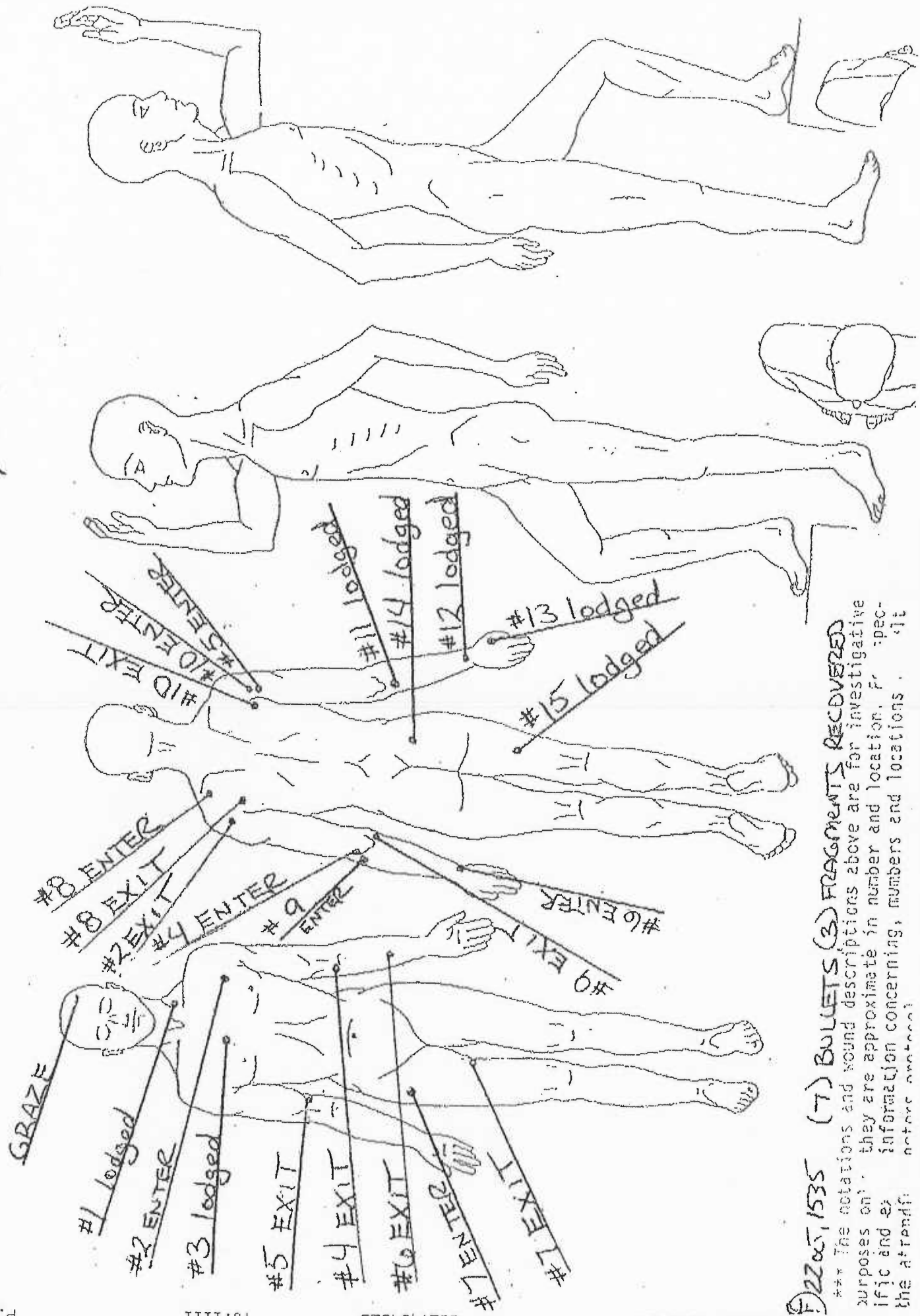
VICTIM: McDONALD, LAGUAN

PATHOLOGIST: MEANS

RO # HX 475653

P. 1/1

CAUSE AND MANNER: MGSW / HOMICIDE



To: 1111

3127454526

OCT-23-2014 06:25 From: GEU

④ 22 OCT 1535 (7) BULLETS (3) FRAGMENTS RECOVERED
 *** The notations and wound descriptions above are for investigative purposes only. They are approximate in number and location. For specific information concerning numbers and locations, refer to the attached notes.

From: Rountree, Janey
Sent: Thursday, April 30, 2015 5:49 PM
To: Adam Collins (adam.collins@cityofchicago.org)
Subject: Public Safety Communications and Engagement Strategy.doc
Attachments: Public Safety Communications and Engagement Strategy.doc

Follow Up Flag: Follow up
Flag Status: Completed

Here is my brain dump for tomorrow. Once we all agree on the goals and the announcements/initiatives we can flesh it out and put together a calendar.